

FOIA Activity for the Week of January 1 - 8, 2014
Privacy Office
January 13, 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 2, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE FOIA Library the Fiscal Year 2013 Secure Communities Nationwide Interoperability Statistics (59 pages) and the Fiscal Year 2014 year-to-date Secure Communities Nationwide Interoperability Statistics (59 pages).
- On January 3, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG FOIA Reading Room the FOIA Logs for the fourth quarter of calendar year 2013 (three pages).
- On January 3, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG FOIA Reading Room the Congressional Correspondence Logs for the fourth quarter of calendar year 2013 (one page).

II. FOIA Requests

- On January 2, 2014, **Scott MacFarlane**, an investigative reporter with *NBC 4* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to food expenses or travel/expense reimbursements processed by DHS including the keyword “Starbucks” in 2013. (Case Number 2014-HQFO-00238.)
- On January 2, 2014, **Matt Jenkins**, an editor with the *High Country News* in Paonia, Colorado, requested from the United States Coast Guard (USCG) records pertaining to FOIA Case Number USCG 2012-2908. (Case Number USCG 2014-0687.)
- On January 2, 2014, **Shane Harris**, a senior writer with *Foreign Policy* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the following records pertaining to Edward Joseph Snowden: (1) records pertaining to entry and exit, including inspection or examination at United States ports of entry; (2) apprehensions and detentions by the Border Patrol; (3) Trusted Traveler Program records; and (4) passenger name record (PNR)/Travel Industry Reservation Data. (Case Number CBP-2014-007756.)
- On January 3, 2014, **Andrea Grimes**, a reporter with **RH Reality Check** in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to cases wherein CBP charged anyone in the State of Texas with illegally possessing, attempting to sell, or otherwise dealing in either the illegal distribution, purchase or ingestion of abortion-inducing drugs, including but not limited to Cytotec, Mifepristone, Misoprostol or associated brand names from January 1, 1990, through the present. (Case Number CBP-2014-007901.)
- On January 6, 2014, **Robert Doggett**, a representative with **Texas Rio Grande Legal Aid** in Austin, Texas, requested from U.S. Customs and Border Protection

(CBP) records for the last six months pertaining to the following three segments of the border fence in the Rio Grande Valley Sector in Texas: (1) O-1 near Roma; (2) O-2 near Rio Grande City; and (3) O-3 near Los Ebanos. (Case Number CBP-2014-008100.)

- On January 6, 2014, **Lynda Clancy**, an editorial director with the *Penobscot Bay Pilot* in Camden, Maine, requested from the United States Coast Guard (USCG) the report pertaining to the ARCHANGEL in an incident that occurred in August 2013. (Case Number USCG 2014-0698.)
- On January 6, 2014, **Runa Sandvika**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) a copy of all network security agreements between TeliaSonera International and DHS, the Department of Justice (DOD), and the Department of Defense (DOD), the U.S. Government parties otherwise known as “Team Telecom,” from January 1, 2011, through the present. (Case Number 2014-HQFO-00241.)
- On January 7, 2014, **Lynn Walsh**, a digital producer with *Scripps National Digital Desk*, requested from the Department of Homeland Security (DHS) a list of employees who used Administratively Uncontrollable Overtime (AUO) hours including how many hours they used, their department, and location from January 1, 2008, through the present. (Case Number 2014-HQFO-00242.)
- On January 7, 2014, **Shane Bauer**, an individual in Oakland, California, requested from the Department of Homeland Security (DHS) records pertaining to the late Malcolm Lateef Shabazz, the grandson of Malcolm X. (Case Number 2014-HQFO-00245.)
- On January 8, 2014, **Congresswoman Diane Black (R-TN)**, a member of the United States House of Representatives in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the defunded Public Advocate position. (Case Number ICE 2014FOIA06779.)
- On January 8, 2014, **Amit Jani**, a staffer for **Congresswoman Judy Chu (D-CA)** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a redacted copy of the Report of Investigation (ROI) pertaining to racial profiling at Boston Logan Airport. (Case Number OIG 2014-050.)

Late requests

- On December 4, 2013, **Matt Jenkins**, an editor with the *High Country News* in Paonia, Colorado, requested from the United States Coast Guard (USCG) records pertaining to FOIA Case Number USCG 2011-3247. (Case Number USCG 2014-0650.)
- On December 4, 2013, **Matt Jenkins**, an editor with the *High Country News* in Paonia, Colorado, requested from the United States Coast Guard (USCG) records pertaining to the activity histories for the following vessels: (1)ALASKA PATRIOT; (2) ALASKA VOYAGER; (3) ALASKA I; (4) ALASKA RANGER; (5) ALASKA SPIRIT; (6) ALASKA PIONEER; (7) PROSPERITY; (8) ALASKA JURIS; (9) ALASKA VICTORY; (10) ALASKA WARRIOR; and (11) ALASKA PREDATOR. (Case Number USCG 2014-0651.)

- On December 4, 2013, **Matt Jenkins**, an editor with the *High Country News* in Paonia, Colorado, requested from the United States Coast Guard (USCG) records pertaining to FOIA requests made by the *Seattle Times*, from March 23, 2008, through January 1, 2009. (Case Number USCG 2014-0652.)
- On December 23, 2013, **Ron Zeitlinger**, an editor with *The Jersey Journal* in Jersey City, New Jersey, requested from the United States Coast Guard (USCG) records pertaining to the New York Waterway/Goldman Sachs ferry YORK that crashed into the Owen Grundy Pier in Jersey City on November 29, 2013. (Case Number USCG 2014-0642.)
- On December 23, 2013, **John Ferro**, a reporter with the *Poughkeepsie Journal* in Poughkeepsie, New York, requested from the United States Coast Guard (USCG) records pertaining to the STENA PRIMORSK running aground on December 20, 2012. (Case Number USCG 2014-0643.)
- On December 23, 2013, **Veronica Macias**, a reporter, requested from the United States Coast Guard (USCG) records pertaining to a recent court hearing regarding (b)(6) (Case Number USCG 2014-0665.)
- On December 24, 2013, **Danielle Ivory**, a reporter with *The New York Times* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the USCG Cutter STORIS. (Case Number USCG 2014-0657.)
- On December 27, 2013, **Natalie Hauff**, a reporter with *The Post and Courier* in Charleston, South Carolina, requested from the United States Coast Guard (USCG) records pertaining to the report of a sinking shrimp boat in Shem Creek in Mount Pleasant, South Carolina on December 18, 2013. (Case Number USCG 2014-0678.)

III. FOIA Releases

- On December 31, 2013, the United States Coast Guard (USCG) released to **Lauren Rosenthal**, a representative with *KUCB* in Unalaska, Alaska, 45 pages of records consisting of case reports, photographs, checklists, vessel critical profiles, and charts and one audio file pertaining to the vessel NOBLE DISCOVERER's anchor dragging incident on July 14, 2012, in Unalaska, Alaska. These records were released in full. (Case Number USCG 2014-0130.)
- On January 2, 2014, the Department of Homeland Security (DHS) released to **Abraham Payton**, a representative with *American Bridge 21st Century* in Washington, DC, 23 pages of records consisting of correspondence pertaining to Congressman William Cassidy (R-LA). Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number 2014-HQFO-00199.)

IV. FOIA Appeals

- On January 2, 2014, **Christopher Skambis**, an editor with *WCJB TV20 News* in Gainesville, Florida, appealed the Federal Emergency Management Agency's (FEMA) denial of his request for expedited processing for his request seeking records pertaining to the Assistance to Firefighters Grant (AFG) application EMW-2011-FV-04462 and any AFG applications prepared by the City of

Macclenny's Fire Chief Buddy J. Dugger. (Case Number FEMA 2014-FEAP-00005.)

V. FOIA Appeals Releases

- NSTR

VI. Litigation

- In the matter of *American Immigration Council v. DHS* (D.D.C. 12-cv-00856), plaintiffs filed a FOIA request on March 14, 2011, seeking records pertaining to an alien's right to have counsel present during interactions with U.S. Immigration and Customs Enforcement (ICE). Plaintiffs filed suit on May 31, 2012, claiming constructive denial. On January 8, 2014, ICE issued a supplemental release of six pages of e-mail records.

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 January 9 - 15, 2014

Privacy Office

January 22, 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 11, 2014, the United States Coast Guard (USCG) posted to the USCG FOIA Library the FOIA Logs for October 1, 2013, through December 31, 2013 (32 pages).

II. FOIA Requests

- On January 10, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting (CIR)* in Emeryville, California, requested from U.S. Customs and Border Protection (CBP) data pertaining to all CBP employees who were arrested, charged, convicted, and/or sentenced on corruption-related charges from September 1, 2012, through the present. (Case Number CBP-2014-008889.)
- On January 14, 2014, **Laura Cavaretta**, an attorney with **Cavaretta, Katona & Francis, PLLC** in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) a copy of the policies and procedures in effect in December 2013, pertaining to: (1) the search of a person, including body cavity searches, and visual and manual inspection of the person; and (2) the requirement and process regarding a warrant be obtained to authorize a medical provider to conduct tests and examinations, and administer medications to encourage bowel movements. (Case Number CBP-2014-009253.)
- On January 15, 2014, **Jessica Vaughn**, a representative with the **Center for Immigration Studies** in Franklin, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of the report titled “Weekly Departures and Detention Report,” created by the Statistical Tracking Unit within ICE Enforcement and Removal Operations (ERO). (Case Number ICE 2014FOIA07527.)

Late requests

- On December 31, 2013, **Dan Levine**, a legal correspondent with *Reuters* in San Francisco, California, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to Petitions for U Nonimmigrant Status (Form I-918), including the geographic location where each form originated since 2009. (Case Number USCIS COW2014000012.)

III. FOIA Releases

- On January 9, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Rachel Weaver**, a staff director with **Senator Ron Johnson’s (R-WI)** staff in Washington, DC, eight pages of records consisting of a spreadsheet of DHS-OIG employees on administrative leave, who have left the agency, and/or transferred to offices within DHS-OIG. Portions of

the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number OIG 2013-091.)

- On January 13, 2014, the Department of Homeland Security (DHS) issued to **Shane Bauer**, an individual in Oakland, California, a no records determination in response to his request seeking records pertaining to the late Malcolm Lateef Shabazz, the grandson of Malcolm X. (Case Number 2014-HQFO-00245.)
- On January 14, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Bob Ortega**, a reporter with the *Arizona Republic* in Phoenix, Arizona, 255 pages of records consisting of a spreadsheet of closed U.S. Customs and Border Protection (CBP) investigations, and investigative records. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), 7(E), and 7(F). (Case Number OIG 2013-157.)
- On January 15, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Bob Ortega**, a reporter with the *Arizona Republic* in Phoenix, Arizona, 50 pages of records consisting of complaint narratives on closed investigations involving U.S. Customs and Border Protection (CBP). Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(D), 7(E), and 7(F). (Case Number OIG 2013-157.)
- On January 15, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Rachel Bale**, a researcher with the *Center for Investigative Reporting (CIR)* in Berkeley, California, 56 pages of records consisting of complaint narratives on closed investigations involving U.S. Customs and Border Protection (CBP), and investigation guidelines. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(D), 7(E), and 7(F). (Case Number OIG 2013-108.)
- On January 15, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Amit Jani**, a staffer for **Congresswoman Judy Chu (D-CA)** in Washington, DC, 14 pages of records consisting of the Report of Investigation (ROI) pertaining to racial profiling at Boston Logan Airport (I12-TSA-PHL-00968). Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number OIG 2014-050.)
- On January 15, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, 93 pages of records consisting of logs, weather reports, case reports, checklists, and charts pertaining to a man-overboard incident involving the vessel ALASKA WARRIOR on July 6, 2009. These records were released in full. (Case Number USCG 2014-0524.)

IV. FOIA Appeals

- On January 8, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, appealed the Department of Homeland Security (DHS), Office of Inspector General's (OIG) decision regarding his fee category pertaining to his request seeking investigative records on sexual assaults. (Case Number OIG 2014-A03.)

V. FOIA Appeals Releases

- NSTR

VI. Litigation

- 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. Pursuant to a stipulation agreement, on January 15, 2014, ICE released 740 pages of responsive records from the Atlanta Field Office and ICE Enforcement and Removal Operations (ERO).
- 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 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 January 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released its third interim response, consisting of 178 pages of records from the CAP program 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 January 16 - 22, 2014
Privacy Office
January 27, 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 22, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG FOIA Reading Room Report of Investigation (ROI) I12-TSA-PHL-00968 pertaining to racial profiling at Boston Logan Airport (14 pages).

II. FOIA Requests

- On January 16, 2014, **Cristina Costantini**, a reporter with *Fusion* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number of Continued Presence applications received, approved, or rejected by ICE since the program's inception. (Case Number ICE 2014FOIA07637.)
- On January 17, 2014, **Ralph Blumenthal**, a reporter with *The New York Times* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) the following records pertaining to the Duryodhana statue: (1) its removal from Koh Ker in Cambodia through its arrival in the United States; (2) offered sale by Sotheby's and subsequent withdrawal; and (3) federal investigation into possible fraud. (Case Number ICE 2014FOIA07827.)
- On January 17, 2014, **Paul Birmingham**, an investigative producer with *KVOA News 4* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to a shooting involving a U.S. Border Patrol agent on January 16, 2014, on Highway 80 near Apache, Arizona. (Case Number CBP-2014-009909.)
- On January 22, 2014, **Oscar Adame, Jr.**, a reporter with *ABC News* in Weslaco, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the murder of ICE Special Agent Jaime Zapata and the government-owned vehicle in which he was traveling at the time of his death. (Case Number ICE 2014FOIA08001.)
- On January 22, 2014, **Daniel Friedman**, a journalist with the *New York Daily News* in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence between DHS and Congressman Michael Grimm (R-NY) or his staff in 2011 and 2012 pertaining to the immigration status of individuals. (Case Number 2014-HQFO-00280.)
- On January 22, 2014, **Marisa Taylor**, a correspondent with *McClatchy Newspapers* in Washington, DC, requested from the Department of Homeland Security (DHS) a copy of the Premium Class Travel reports DHS filed with the General Services Administration (GSA) for fiscal years 2009 through 2014. (Case Number 2014-HQFO-00282.)

- On January 22, 2014, **Asma Ajroudi**, a representative with the **Medill School of Journalism, Northwestern University** in Qatar, requested from the Department of Homeland Security (DHS) records pertaining to the number of U.S. colleges that have faced false bomb threats in the year 2013. (Case Number 2014-HQFO-00283.)
- On January 22, 2014, **Joshua Daniels**, a policy analyst with the **Libertas Institute**, requested from the Department of Homeland Security (DHS) records pertaining to the State of Utah and its compliance with or implementation of the provisions and standards of the REAL ID Act, from January 1, 2009, through December 31, 2013. (Case Number 2014-HQFO-00284.)

Late requests

- On December 31, 2013, the Department of State (DOS) referred to the Department of Homeland Security (DHS) records responsive to a request from **Brandon Kameran**, an individual in Chandler, Arizona, seeking data pertaining to the Assessment of U.S. Government Efforts to Combat Trafficking in Persons in fiscal year 2009. (Case Number 2014-HQFO-00281.)
- On January 9, 2014, **Matt Smith**, a journalist with the *Center for Investigative Reporting (CIR)* in Emeryville, California, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the Administrative Site Visit and Verification Program (ASVVP). (Case Number USCIS COW2014000037.)
- On January 11, 2014, **Laura Wides-Munoz**, a reporter with the *Associated Press* in Miami, Florida, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to Petitions for H1-B Visas (Form I-129) for the last five available years. (Case Number USCIS COW2014000036.)
- On January 13, 2014, **Allan Blutstein**, a senior counsel with **Cause of Action** in Washington, DC, requested from the Department of Homeland (DHS) records pertaining to the current position, duties, and salary of Charles Edwards, who resigned as Deputy Inspector General on December 16, 2013. (Case Number 2014-HQFO-00285.)
- On January 14, 2014, **Robert Maxwell**, an anchor and investigative reporter with **KXAN-TV** in Austin, Texas, requested from the Federal Emergency Management Agency (FEMA) records regarding reimbursement, expenses incurred, and compensation from FEMA pertaining to the following Emergency Medical Services (EMS) providers: (1) Guardian EMS; (2) Austin-Travis County EMS; (3) Lockhart Caldwell EMS; (4) Williamson County EMS; and (5) San Marcos Hays County EMS. (Case Number FEMA 2014-FEFO-00341.)

III. FOIA Releases

- On January 13, 2014, the Federal Emergency Management Agency (FEMA) released to **Scott Amey**, an attorney with the **Project on Government Oversight (POGO)** in Washington, DC, 120 pages of records consisting of reports pertaining to Hurricane Katrina and contract management issues, and e-mails written to and from Daniel A. Craig, former Director of the Recovery Division.

Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number FEMA 2013-FEFO-00056.)

- On January 16, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Ginger Thompson**, a reporter with *The New York Times* in New York, New York, one spreadsheet containing anonymous data pertaining to the 2,901 aliens detained and deported as part of Operation Cross Check in September 2011. These records were released in full. (Case Number ICE 2014FOIA03177.)
- On January 16, 2014, the Department of Homeland Security (DHS) issued to **Scott MacFarlane**, an investigative reporter with *NBC 4* in Washington, DC, a no records determination in response to his request seeking a copy of all e-mails sent and received by a specific e-mail address for Acting Secretary Rand Beers on October 22, 2013. (Case Number 2014-HQFO-00076.)
- On January 17, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, 43 pages of records consisting of letters, memoranda, enforcement records, and a case report pertaining to the collision between ALASKA I and HANJIN BARCELONA on February 11, 1998, in the Bering Sea. These records were released in full. (Case Number USCG 2014-0446.)
- On January 17, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, one excel spreadsheet containing the activity histories for the following vessels: (1)ALASKA PATRIOT; (2) ALASKA VOYAGER; (3) ALASKA I; (4) ALASKA RANGER; (5) ALASKA SPIRIT; (6) ALASKA PIONEER; (7) PROSPERITY; (8) ALASKA JURIS; (9) ALASKA VICTORY; (10) ALASKA WARRIOR; and (11) LEGACY. These records were released in full. (Case Number USCG 2014-0651.)

IV. FOIA Appeals

- NSTR

V. FOIA Appeals Releases

- NSTR

VI. Litigation

- NSTR

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 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

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

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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 20 - 26, 2014

Privacy Office

March 4, 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 20, 2014, **Darwin BondGraham**, a freelance journalist, requested from the Department of Homeland Security (DHS) various records pertaining to the city of Oakland, California, the Port of Oakland, and the Port Security Grant Program (PSGP) from February 20, 2013, through February 20, 2014. (Case Number 2014-HQFO-00357.)
- On February 20, 2014, **Jamie Schell**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the following individual and companies: (1) Senator Scott Brown (R-MA) from February 1, 2011, through January 3, 2013, and as a private citizen, from January 3, 2013, through the present; (2) Nixon Peabody from March 11, 2013, through the present; (3) Global Digital Solutions Inc. from December 18, 2013, through the present; (4) Kadant Inc. from February 6, 2013, through the present; and (5) CoachUp from August 29, 2013, through the present. (Case Number 2014-HQFO-00358.)
- On February 20, 2014, **Jeff Harrington**, a reporter with the *Tampa Bay Times* in St. Petersburg, Florida, requested from the Federal Emergency Management Agency (FEMA) records pertaining to payments FEMA made to providers in the National Flood Insurance Program (NFIP) Write Your Own (YWO) Program for the past three years. (Case Number FEMA 2014-FEFO-00438.)
- On February 20, 2014, **John Ferro**, a reporter with the *Poughkeepsie Journal* in Poughkeepsie, New York, requested from the United States Coast Guard (USCG) records pertaining to the oil spill drill in New Windsor, New York on November 12, 2013. (Case Number USCG 2014-1040.)
- On February 20, 2014, **David Kashi**, a reporter with *International Business News* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the investigation of arms shipments destined for Iran and seized by Greek authorities from 2012 through 2014. (Case Number ICE 2014FOIA10267.)
- On February 20, 2014, **Ruthie Epstein**, a legislative policy analyst with the **American Civil Liberties Union (ACLU)** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data on the ICE detainee population on any single day in fiscal year 2014. (Case Number ICE 2014FOIA10271.)

- On February 20, 2014, **Gabriela Rivera**, an attorney with the **American Civil Liberties Union (ACLU)** in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to guidance regarding expedited removals, voluntary returns, and asylum claims from January 1, 2008, through December 31, 2013. (Case Number CBP-2014-014310.)
- On February 20, 2014, **Gabriela Rivera**, an attorney with the **American Civil Liberties Union (ACLU)** in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of expedited removals and asylum claims from January 1, 2008, through December 31, 2013. (Case Number CBP-2014-014311.)
- On February 21, 2014, **Michel Marizco**, a reporter with **KVOA News 4** in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP employees arrested under federal, state, county, and local criminal laws in Arizona from January 1, 2012, through January 1, 2014. (Case Number CBP-2014-014662.)
- On February 21, 2014, **Mitra Ebadolahi**, staff attorney with the **American Civil Liberties Union (ACLU)** in San Diego, California, requested from U.S. Customs and Border Protection (CBP) a copy of the Police Executive Research Forum review of CBP's use-of-force policies in 2013. (Case Number CBP-2014-014666.)
- On February 21, 2014, **John Jerman**, an assistant general counsel with the **New York City Transit** in Brooklyn, New York, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the report of investigation on a former United States Citizenship and Immigration Services (USCIS) employee. (Case Number OIG 2014-071.)
- On February 21, 2014, **Ellen Nakashima**, a reporter with **The Washington Post** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE's plan to seek a vendor to provide access to a National License Plate Recognition (NLPR) database service. (Case Number ICE 2014FOIA10680.)
- On February 24, 2014, **Dustin Slaughter**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) a copy of contracts and memoranda of understanding (MOU) between DHS and Vigilant Solutions regarding the National Vehicle Location Service (NVLS) and LEARN License Plate Recognition (LPR) Enterprise Intelligence platform. (Case Number 2014-HQFO-00371.)
- On February 24, 2014, **Noah Pransky**, a reporter with **10 News** in St. Petersburg, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) e-mail chat logs or other records from the recent Internet Crimes Against Children sexual predator sting in Central Florida, dubbed "Operation Home Alone," which ran from January 23, 2014, through January 27, 2014. (Case Number ICE 2014FOIA10471.)
- On February 24, 2014, **Lynn Jorden**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records of correspondence or

penalties levied against 28 companies located in Michigan. (Case Number ICE 2014FOIA10693.)

- On February 24, 2014, **Kelcey Carlson**, a journalist with **KMSP TV** in Eden Prairie, Minnesota, requested from the United States Secret Service (USSS) the following records: (1) records pertaining to investigations of retail cybercrimes from 2003 through 2013; and (2) records pertaining to how USSS is working with retail companies to prevent such crimes. (Case Number USSS 20140377.)
- On February 24, 2014, **John Greenwald, Jr.**, a freelance television producer and writer with **The Black Vault** in Northridge, California, requested from the United States Secret Service (USSS) records pertaining to the following deceased individuals: (1) Hans Albrecht Bethe (Case Number USSS 20140383); (2) George Frost Kennan (Case Number USSS 20140385); and (3) Enrico Fermi. (Case Number USSS 20140386.)
- On February 24, 2014, **Martin Finn**, a reporter with **Fox News Channel** in New York, New York, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to investigations of instructors suspected of teaching methods for beating polygraph exams; and (2) records pertaining to a strategy or legal basis for targeting instructors suspected of teaching methods for beating polygraph exams. (Case Number CBP-2014-014775.)
- On February 24, 2014, **Jason Leopold**, a journalist with **Al Jazeera America** in Beverly Hills, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the reports for investigations conducted by DHS-OIG, from January 1, 2012, through the present. (Case Number OIG 2014-073.)
- On February 25, 2014, **Rebecca Smith**, a staff reporter with **The Wall Street Journal** in San Francisco, California, requested from the Department of Homeland Security (DHS) a copy of the presentation and distribution materials used in a series of “Briefings on Physical Security of Electricity Substations” being conducted by DHS and the Department of Energy (DOE) in February 2014, through March 2014, in several cities for utility industry and law enforcement representatives. (Case Number 2014-HQFO-00372.)
- On February 26, 2014, **Ryan Luther**, an individual in Washington, DC, requested from the Department of Homeland Security (DHS), Federal Law Enforcement Training Centers (FLETC), and DHS Office of Inspector General (OIG) records of correspondence between DHS, FLETC, and DHS-OIG and the following governor and members of Congress: (1) Congressman Paul Broun (R-GA); (2) Congressman Rodney Davis (R-IL); (3) Congressman John Delaney (D-MD); (4) Congressman Jeff Denham (R-CA); (5) Congressman Robert Dold (R-IL); (6) Congressman Bill Enyart (D-IL); (7) Congressman Bill Foster (D-IL); (8) Congressman Phil Gingrey (R-GA); (9) Governor Nikki Haley (R-SC); (10) Congressman Jack Kingston (R-GA); (11) Senator Pat Roberts (R-KS); (12) Congressman Brad Schneider (D-IL); and (13) Congressman John Tierney (D-MA). (Case Numbers 2014-HQFO-00375, FLETC FOIA 14-038, and OIG 2014-074.)

Late requests

- On January 23, 2014, **Tarmo Vahter**, a journalist with *Eesti Ajalehed* in Estonia, Europe, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the late Henrik Visnapuu. (Case Number USCIS NRC2014015654.)
- On February 7, 2014, **Katie Cribbs**, an executive producer with *WINK-TV* in Fort Myers, Florida, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the number of Letter of Map Amendment (LOMA) and Letter of Map Revision Based on Fill (LOMR-F) requests that were submitted from Lee County, Florida and Collier County, Florida from January 1, 2010, through the present. (Case Number FEMA 2014-FEFO-00417.)
- On February 9, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) the following records: (1) a copy of the order authorizing resumption of Unmanned Aircraft System (UAS) operations; and (2) a copy of the investigation findings, recommendations, and reports pertaining to the Predator B crash on January 27, 2014. (Case Number CBP-2014-014332.)
- On February 18, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting (CIR)* in Emeryville, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the investigation into the October 5, 2010 shooting of Juan Mendez, Jr. (Case Number CBP-2014-014244.)

III. FOIA Releases

- On February 20, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Andrew Becker**, a reporter with the *Center for Investigative Reporting (CIR)* in Emeryville, California, five pages of investigative records pertaining to the death of Ricardo Martinez-Galicia. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number OIG 2013-125.)
- On February 21, 2014, the Department of Homeland Security (DHS) released to **Todd Toral**, a partner with **DLA Piper LLP** in San Francisco, California, on behalf of **Human Rights Watch**, 141 pages of records consisting of e-mails, memoranda, weekly reports, and other records pertaining to the Board for Correction of Military Records (BCMR). Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2014-HQFO-00301.)
- On February 21, 2014, the Department of Homeland Security (DHS) released to **Katie Drapcho**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, five pages of records consisting of 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 21, 2014, the Department of Homeland Security (DHS) released to **Jim McElhatton**, a reporter with *The Washington Times* in Washington, DC, three pages of records consisting of the resume of DHS Chief of Staff Christian

Marrone. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number 2014-HQFO-00313.)

- On February 21, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Dongjae Jung**, a representative with **MuckRock News** in Boston, Massachusetts, three pages of records containing the deportation statistics for the 287(g) program in fiscal year 2012. These records were released in full. (Case Number ICE 2014FOIA2760.)
- On February 21, 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, 187 pages of records consisting of e-mails pertaining to the Stuxnet worm. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(E), and 7(F). (Case Number NPPD 12F018.)
- On February 21, 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 the following records: (1) a copy of the order authorizing resumption of Unmanned Aircraft System (UAS) operations; and (2) a copy of the investigation findings, recommendations, and reports pertaining to the Predator B crash on January 27, 2014. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number CBP-2014-014332.)
- On February 24, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, an editor with the **High Country News** in El Paso, Texas, two pages of records consisting of a Personnel Action Investigation Report pertaining to PA98000137 involving the vessel ALASKA WARRIOR. These records were released in full. (Case Number USCG 2014-0979.)
- On February 25, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Mark Flatten**, a reporter with the **Washington Examiner** in Washington, DC, 154 pages of records pertaining to ICE employees who used official time under any category listed in 5 U.S.C. 7131, or related statutes since January 1, 2009. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA25246.)
- On February 25, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Ingrid Eagly**, an assistant professor of law with the **University of California, Los Angeles (UCLA) School of Law** in Los Angeles, California, 71 pages of records consisting of e-mails, memoranda, and other records pertaining to the use of videoconferencing in immigration court proceedings. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2013FOIA30420.)
- On February 25, 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, 641 pages of records consisting of e-mails and memoranda pertaining to the December 6, 2012 DHS Office of the General Counsel (OGC) opinion concerning the application and interpretation of false claim to United States citizenship as a ground of inadmissibility under the Immigration and Nationality Act (INA)

§212(a)(6)(C)(ii). Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number USCIS COW2013000865.)

- On February 25, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Scott MacFarlane**, a reporter with *NBC4* in Washington, DC, 15 pages of records consisting of complaint narratives of closed investigations involving expense reimbursement, expense fraud, travel expenses, and entertainment expenses. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(D). (Case Number OIG 2014-012.)
- On February 26, 2014, the Federal Emergency Management Agency (FEMA) released to **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, 155 pages of records consisting of position descriptions and performance evaluation criteria for FEMA's public information officers and spokesmen for the past three years. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number FEMA 2013-FEFO-00196.)

IV. FOIA Appeals

- On February 11, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) full denial in response to her request seeking records pertaining to the Predator B crash on January 27, 2014. The requester is contesting CBP's response to withhold all records pursuant to FOIA Exemption 7(A). (Case Number CBP-2014-AP-013668.)
- On February 11, 2014, **Brandon Baseman**, a Negotiations Legal Specialist with the **National Treasury Employees Union (NTEU)** in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) no records determination in response to his request seeking Category Rating Annual Reports filed with the Office of Personnel and Management (OPM) and Congress pursuant to 5 U.S.C. 3319(d). (Case Number CBP-2014-AP-014905.)
- On February 18, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, appealed U.S. Customs and Border Protection's (CBP) full denial in response to his request seeking a copy of grounding orders to Unmanned Aircraft System (UAS) units following the crash landing of a Predator drone near San Diego on January 27, 2014. The requester is contesting CBP's response to withhold all records pursuant to FOIA Exemption 7(A). (Case Number CBP-2014-AP-015070.)

V. FOIA Appeals Releases

- NSTR

VI. Litigation

- NSTR

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 27- March 5, 2014
Privacy Office
March 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:

- NSTR

II. FOIA Requests

- On February 27, 2014, **Tom Fowler**, a reporter with *The Wall Street Journal* in Houston, Texas, requested from the United States Coast Guard (USCG) records from the Marine for Safety and Law Enforcement (MISLE) database regarding instances in which oil, refined products, or chemicals have been spilled from vessels into U.S. waterways from January 1, 2004, through the present. (Case Number USCG 2014-1105.)
- On March 3, 2014, **Michel Marizco**, a reporter with *KVOA News 4* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to firearms lost by U.S. Border Patrol agents in the Tucson Sector from January 1, 2012, through March 1, 2104. (Case Number CBP-2014-015683.)

Late requests

- On January 8, 2014, **Robert Deasy**, a director with the **American Immigration Lawyers Association (AILA)** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) a copy of template letters used by the California Service Center to deny L-1B nonimmigrant petitions in fiscal years 2006 through 2014. (Case Number USCIS COW2014000138.)
- On February 20, 2014, **Paul Lewis**, a correspondent with *The Guardian* in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) correspondence between USCIS and the following members of Congress from January 1, 2009, through February 14, 2014: (1) Representative Joe Garcia (D-FL); (2) Representative Ed Royce (R-CA); (3) Representative Ileana Ros-Lehtinen (R-FL); (4) Representative Shelley Moore Capito (R-WV); (5) Representative Eliot Engel (D-NY); (6) Senator Bill Nelson (D-FL); (7) Representative Debbie Wasserman Schultz (D-FL); (8) Representative Connie Mack (R-FL); (9) Senator Claire McCaskill (D-MO); and (10) Senator Robert Menendez (D-NJ). (Case Number USCIS COW2014000139.)
- On February 26, 2014, **Scott Dance**, a reporter with *The Baltimore Sun* in Baltimore, Maryland, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to approval notices for H1-B visas for employment in the State of Maryland in 2013. (Case Number USCIS COW2014000145.)
- On February 26, 2014, **Janet McConnaughey**, a journalist with the *Associated Press* in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to maritime accidents on February 17, 2012, and

March 12, 2013, involving boats owned by Settoon Towing LLC of Pierre Part, Louisiana. (Case Number USCG 2014-1091.)

III. FOIA Releases

- On February 27, 2014, the Department of Homeland (DHS), Office for Civil Rights and Civil Liberties (CRCL) released to **Rachael Bale**, a researcher with the *Center for Investigative Reporting (CIR)* in Emeryville, California, 62 pages of records consisting of a list of complaints made by, or on behalf of, minors in U.S. Border Patrol custody from 2005 through the present. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number CRCL 14-010.)
- On March 4, 2014, U.S. Customs and Border Protection (CBP) issued to **Dan Mihalopoulos**, a staff reporter with the *Chicago Sun-Times* in Chicago, Illinois, a full denial in response to his request seeking the following records: (1) records regarding Jared Chase, Brent Betterly, and or/Brian Church; and (2) records regarding the North Atlantic Treaty Organization (NATO) summit meeting held in May 2012, including any correspondences between department officials and the Chicago Police Department. These records were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP 2012F27441.)
- On March 5, 2014, the Department of Homeland Security (DHS) released to **Mony Ruiz-Velasco**, Director of Legal Services with **Heartland Alliance's National Immigrant Center (NIJC)** in Chicago, Illinois, four pages of records consisting of e-mails between DHS and the Department of Justice (DOJ) pertaining to the implementation and use of prosecutorial discretion and immigration enforcement policies. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number 2014-HQFO-00090.)
- On March 5, 2014, the Department of Homeland Security (DHS) released to **Luke Rosiak**, a reporter with *The Washington Examiner* in Washington, DC, 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) Representative Peter King (R-NY); (4) Representative Patrick Meehan (R-PA); (5) Representative Susan Brooks (R-IN); (6) Representative Jeffrey Duncan (R-SC); and (7) Representative Richard Hudson (R-NC). Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number 2014-HQFO-00332.)
- On March 5, 2014, the Federal Emergency Management Agency (FEMA) released to **Scott MacFarlane**, a correspondent with *Cox TV* in Washington, DC, 577 pages of records consisting of cash awards, student loan repayments, relocation bonuses, and retirement bonuses for FEMA employees and managers during fiscal years 2011 through 2013. These records were released in full. (Case Number FEMA 2013-FEFO-00840.)
- On March 5, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) issued to **Jon McClure**, a journalist with the *Dallas Morning News* in Dallas, Texas, a full denial in response to his request seeking a copy of the complete report of possible facilities that have not complied with the Environmental Protection Agency's (EPA) Risk Management

Rule. These records were withheld pursuant to FOIA Exemptions 4, 5, and 7(F). (Case Number NPPD 13F906.)

IV. FOIA Appeals

- On February 25, 2014, **James Lyall**, a staff attorney with the **American Civil Liberties Union (ACLU) of Arizona** in Phoenix, Arizona, appealed U.S. Customs and Border Protection's (CBP) lack of response to his request seeking records pertaining to U.S. Border Patrol checkpoint operations. (Case Number CBP-2014-AP-016098.)
- On February 25, 2014, **James Lyall**, a staff attorney with the **American Civil Liberties Union (ACLU) of Arizona** in Phoenix, Arizona, appealed U.S. Customs and Border Protection's (CBP) lack of response to his request seeking records pertaining to U.S. Border Patrol "roving patrol" operations. (Case Number CBP-2014-AP-016101.)

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 February 28, 2014, U.S. Immigration and Customs Enforcement (ICE) released its eleventh interim response, consisting of 306 pages of e-mail records and nine Excel spreadsheets 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 March 3, 2014, ICE released 265 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

Freedom of Information Act Activity for the Week of March 6 - 12, 2014

Privacy Office

March 18, 2014

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 March 10, 2014, the Department of Homeland Security (DHS) Privacy Office posted to its Freedom of Information Act Library the Office for Civil Rights and Civil Liberties (CRCL) Fiscal Year 2012 Freedom of Information Act Log (four pages).
- On March 10, 2014, the Department of Homeland Security (DHS) Privacy Office posted to its Freedom of Information Act Library the Office for Civil Rights and Civil Liberties (CRCL) Fiscal Year 2013 Freedom of Information Act Log (four pages).
- On March 12, 2014, the Department of Homeland Security (DHS) Privacy Office deployed a consolidated web-based form on its public facing Freedom of Information Act website allowing requesters to submit their Freedom of Information Act requests to the Department and its components. Detailed information explains how to submit a request and information on where to direct it, while a link off the index page enables requesters to check the status of submitted requests.

II. Freedom of Information Act Requests

- On March 6, 2014, **Laura Wides-Munoz**, a reporter with the *Associated Press* in Miami, Florida, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to Fraud Detection and National Security investigations of H-1B non-immigrant approved petitions from 2011 through 2014. (Case Number USCIS COW2014000160.)
- On March 6, 2014, and March 10, 2014, **Eliot Caroom**, a reporter with *Bloomberg News* in Washington, DC, requested from the United States Coast Guard (USCG) a copy of National Response Center reports submitted from March 5, 2014, through March 6, 2014, and March 10, 2014, for the following companies: (1) BP; (2) Phillips 66; (3) Valero; (4) Tesoro; (5) Motiva; (6) Exxon; and (7) Marathon. (Case Numbers USCG 2014-1156 and USCG 2014-1190.)
- On March 6, 2014, **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to U.S. negotiations with the Mexican government over the Operation Against Smugglers Initiative on Safety and Security. (Case Number ICE 2014FOIA11928.)
- On March 6, 2014, **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) records pertaining to the formation and functions of the Beta Groups of Mexico's

National Migration Institute. (Case Numbers ICE 2014FOIA11932 and CBP-2014-015966.)

- On March 7, 2014, **Didi Tang**, a reporter with the *Associated Press* in Beijing, China, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data on the number of Chinese nationals attending U.S. primary schools, high schools, and “post high schools” from 2005 through 2013. (Case Number ICE 2014FOIA11546.)
- On March 7, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records of communications pertaining to the contract solicitation for a license plate tracking system that was subsequently withdrawn, from February 1, 2014, through February 20, 2014. (Case Number ICE 2014FOIA011611.)
- On March 7, 2014, **Ellen Nakashima**, a staff reporter with *The Washington Post* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to investigations or complaints of abuse by CBP personnel in the operation of drones. (Case Number CBP-2014-016435.)
- On March 7, 2014, **Holbrook Mohr**, a writer with the *Associated Press* in Jackson, Mississippi, requested from the United States Coast Guard (USCG) a copy of the USCG’s database of chemical accidents. (Case Number USCG 2014-1167.)
- On March 7, 2014, **Stuart Christmas**, a general counsel and Vice President for Legal Investigations with the **Government Accountability Institute** in Tallahassee, Florida, requested from the Department of Homeland Security (DHS) the following records pertaining to the Department’s review and input regarding the following : (1) the application to the Committee on Foreign Investment in the United States by Energy Metals Corporation and Uranium One, Inc.; (2) the approval of the purchase of Energy Metals Corporation by Uranium One, Inc. in July 2007 by the Committee; (3) the Committee’s case number 10-40; and (4) the proposed sale of a controlling interest of Uranium One, Inc. to ARMZ Uranium Holding Co., also known as JSC Atomredmetzoloto. (Case Number 2014-HQFO-00404.)
- On March 10, 2014, **Iain Armstrong**, a graduate student with the **Bush School of Government and Public Service** at **Texas A&M University** in College Station, Texas, requested from the Department of Homeland Security (DHS) a copy of the National Biosurveillance Strategy Implementation Plan. (Case Number 2014-HQFO-00408.)
- On March 10, 2014, **Charles Roth**, a representative with the **National Immigrant Justice Center** in Chicago, Illinois, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data on the number of Final Administrative Order Removals issued since January 1, 2001. (Case Number ICE 2014FOIA11750.)
- On March 10, 2014, **Jim McElhatton**, a staff writer with *The Washington Times* in Alexandria, Virginia, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of all closed reports of investigations pertaining to misuse of a government computer from January 1, 2012, through the present. (Case Number OIG 2014-081.)

- On March 10, 2014, **Andrea Rumbaugh**, a reporter with *The News-Press* in Fort Myers, Florida, requested from the Federal Emergency Management Agency (FEMA) records pertaining to Letter of Map Amendments and Letter of Map Revision requests from Lee County, Florida regarding FEMA Map Modernization. (Case Number FEMA 2014-FEFO-00524.)
- On March 10, 2014, **Andrea Rumbaugh**, a reporter with *The News-Press* in Fort Myers, Florida, requested from the Federal Emergency Management Agency (FEMA) a copy of contracts awarded for Lee County, Florida regarding FEMA Map Modernization. (Case Number FEMA 2014-FEFO-00525.)
- On March 11, 2014, **Audrey Singer**, a senior fellow with the **Brookings Institution** in Washington, DC, requested from the Department of Homeland Security (DHS) data pertaining to each individual who submitted an application for the Deferred Action for Childhood Arrivals program. (Case Number 2014-HQFO-00399.)
- On March 11, 2014, **Robert McC Carson**, a publisher with *La Voz Independiente* in Asheville, North Carolina, requested from the Department of Homeland Security (DHS) the number of Deferred Action for Childhood Arrivals approvals and rejections by county of residence in North Carolina and South Carolina from June 1, 2013, through the present. (Case Number 2014-HQFO-00409.)
- On March 11, 2014, **Joanna Impey**, a journalist with *BBC World Service Radio* in London, England, requested from the United States Coast Guard (USCG) audio recordings pertaining to a man overboard incident involving the vessel ANNA MARY on July 24, 2013. (Case Number USCG 2014-1191.)
- On March 11, 2014, **Jonathan Leff**, an editor with *Thomson Reuters* in New York, New York, requested from the United States Coast Guard (USCG) records in the National Response Center database that match specific key words for March 11, 2014. (Case Number USCG 2014-1193.)
- On March 11, 2014, **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 any other services to President Obama and any companions on their February 2014 trip to Palm Springs, California. (Case Number USSS 20140445.)
- On March 11, 2014, **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 any other services to First Lady Michelle Obama, Malia Obama, Sasha Obama, and any companions on their February 2014 trip to Aspen, Colorado. (Case Number USSS 20140446.)
- On March 12, 2014, **John Dyer**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to fatal and non-fatal shootings by U.S Border Patrol agents along the U.S.-Mexico border from 2008 through 2014. (Case Number OIG 2014-084.)

Late requests

- On February 27, 2014, **Michael Ravnitzky**, an individual in Silver Spring, Maryland, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the meeting minutes and agendas for the meetings of the Council of Counsels to the Inspector General from January 1, 2006, through the present. (Case Number OIG 2014-082.)
- On March 5, 2014, **Lynn Jorden**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence between DHS and the following individual and organizations: (1) Mark Everette Harris from January 1, 1990, through the present; (2) First Baptist Church of Charlotte, North Carolina from July 1, 2005, through the present; (3) Curtis Baptist Church of Augusta, Georgia from January 1, 2000, through June 30, 2005; (4) Center Grove Baptist Church of Clemmons, North Carolina from January 1, 1989, through January 1, 2000; and (5) the North Carolina Baptist State Convention from January 1, 2010, through the present. (Case Number 2014-HQFO-00391.)
- On March 5, 2014, **Mark Stevens**, a reporter with **KWQC-TV** in Davenport, Iowa, requested from the United States Coast Guard (USCG) a copy of after action reports or reviews of the emergency response and cleanup of the **STEPHEN L. COLBY**, a towboat that sank off LeClaire, Iowa in the Mississippi River on November 25, 2013. (Case Number USCG 2014-1139.)

III. Freedom of Information Act Releases

- On March 6, 2014, the Department of Homeland Security (DHS) released to **Grant Smith**, a director with the **Institute for Research: Middle Eastern Policy** in Washington, DC, an Excel spreadsheet containing yearly flow data on the number of non-naturalized legal permanent residents known to have entered the United States after 1980, by country of birth and year that status was obtained. These records were released in full. (Case Number PLCY 11-1051.)
- On March 12, 2014, the Department of Homeland Security (DHS) released to **Angelo Mathay**, a law fellow with the **National Immigration Law Center** in Washington, DC, and **Patrick Taurel**, a legal services fellow with the **American Immigration Council** in Washington, DC, 861 pages of records and an Excel workbook pertaining to Deferred Action for Childhood Arrivals. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number 2013-HQFO-00907.)
- On March 12, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Patrick Taurel**, a legal services fellow with the **American Immigration Council** in Washington, DC, one page of records and one Excel spreadsheet pertaining to ICE's implementation of the Deferred Action for Childhood Arrivals program. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(C). (Case Number ICE 2014FOIA960.)
- On March 12, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Bob Ortega**, a reporter with the **Arizona Republic** in Phoenix, Arizona, 77 pages of records consisting of reports of

investigations. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(C). (Case Number OIG 2013-157.)

- On March 12, 2014, the Federal Emergency Management Agency (FEMA) released to **Andrew Wyner**, an investigator with **Project on Government Oversight** in Washington, DC, 29 pages of records consisting of the Statement of Work and the slide presentation provided by ICF International regarding contract GS10F06LPA0007: HSFEEM07J0001. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 4. (Case Number FEMA 2013-FEFO-00284.)

IV. Freedom of Information Act Appeals

- On February 25, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, appealed U.S. Customs and Border Protection's (CBP) full denial in response to his request seeking the following records: (1) a copy of the order authorizing resumption of Unmanned Aircraft System operations; and (2) a copy of the investigation findings, recommendations, and reports pertaining to the Predator B crash on January 27, 2014. The requester is contesting CBP's decision to withhold all records pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-AP-016233.)
- On March 7, 2014, **Beth Werlin**, Deputy Director, Legal Action Center with the **American Immigration Council** in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) lack of response to her request seeking records containing the term "hielera" or "hieleras." (Case Number CBP-2014-AP-016437.)
- On March 7, 2014, **Beth Werlin**, Deputy Director, Legal Action Center with the **American Immigration Council** in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) lack of response to her request seeking records pertaining to short term detentions in the Rio Grande Valley Sector. (Case Number CBP-2014-AP-016439.)
- On March 11, 2014, **Hilary Russ**, a journalist with **Thomson Reuters** in New York, New York, appealed the Department of Homeland Security (DHS), Office of Inspector General's (OIG) response to her request seeking a copy of an analysis sent to DHS-OIG by the Recovery Accountability and Transparency Board regarding requests for assistance from DHS-OIG for Hurricane Sandy debris removal work. The requester is contesting DHS-OIG's determination that the records she seeks are under the purview of another agency. (Case Number OIG 2014-A07.)

V. Freedom of Information Act Appeals Releases

- On March 12, 2014, U.S. Customs and Border Protection (CBP) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, two pages of records consisting of an e-mail pertaining to the grounding of Unmanned Aircraft System units following the crash landing of a Predator B on January 27, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2014-AP-015070.)

VI. Litigation

- In the matter of *National Immigrant Justice Center v. DHS* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 March 7, 2014, ICE released its second supplemental release of 1,784 pages of Intergovernmental Service Agreements records for 29 detention facilities.
- In the matter of *Cause of Action v. DHS OIG* (13-cv-00876-RJL), plaintiff filed a Freedom of Information Act request on March 27, 2013, seeking the following records: (1) records released for Case Numbers OIG 2013-11, 2013-29, and 2012-175; (2) records pertaining to Acting/Deputy Inspector General Charles Edwards's official travels while occupying any Department of Homeland Security (DHS) position; (3) records pertaining to any complaints against Mr. Edwards received by the DHS Office of Inspector General (OIG) and the subsequent handling of such complaints by OIG Office of Investigations; and (4) records released to Andrew Becker, a reporter with the *Center for Investigative Reporting*. Plaintiff filed suit on June 13, 2013, claiming constructive denial. On March 12, 2014, DHS-OIG released a supplemental response consisting of 64 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 Activity for the Week of March 13 - 19, 2014

Privacy Office

March 24, 2014

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 March 18, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to Esteban Manzanares's employment with the U.S. Border Patrol from January 1, 2008, through March 12, 2014. (Case Number CBP-2014-017383.)
- On March 18, 2014, **Aaron Nelsen**, a reporter with the *San Antonio Express-News* in Mission, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the employment of the following individuals: (1) Esteban Manzanares; (2) Randal Sutterfield; and (3) Adam Garibay. (Case Number CBP-2014-017393.)
- On March 18, 2014, **Melissa Correa**, a reporter with *KRGV-TV* in Weslaco, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to Esteban Manzanares's employment with the U.S. Border Patrol and the investigation into the incident on March 13, 2014. (Case Number CBP-2014-017467.)
- On March 18, 2014, **Thomas Hargrove**, a correspondent with *Scripps News* in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) a copy of the National Fire Incident Reporting System dataset for 2012. (Case Number FEMA 2014-FEFO-00543.)
- On March 19, 2014, **Melissa del Bosque**, a reporter with the *Texas Observer* in Austin, Texas, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to sexual assault and sexual harassment investigations by DHS-OIG within U.S. Customs and Border Protection (CBP), the United States Citizenship and Immigration Services (USCIS), and U.S. Immigration and Customs Enforcement (ICE), from 2011 through 2014. (Case Number OIG 2014-089.)

Late requests

- On March 5, 2014, **Emily Parkhurst**, a reporter with the *Puget Sound Business Journal* in Seattle, Washington, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to USCIS L-1 compliance site visits at businesses located in the State of Washington from January 1, 2013, through the present. (Case Number USCIS COW2014000171.)
- On March 11, 2014, **Vriti Jain**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, requested from the United States

Citizenship and Immigration Services (USCIS) records of correspondence pertaining to Senator Thad Cochran (R-MS) regarding EB-5 visas. (Case Number USCIS COW2014000170.)

- On March 12, 2014, **Jonathan Raz**, a law student with the **Benjamin N. Cardozo School of Law, Yeshiva University** and staff editor with the *Cardozo Law Review* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) the following records: (1) a copy of policies and procedures pertaining to the termination of asylum; and (2) statistical data pertaining to notices of intent to terminate asylum. (Case Number USCIS COW2014000186.)
- On March 12, 2014, **Mike Baker**, a reporter with *The Seattle Times* in Seattle, Washington, requested from U.S. Customs and Border Protection (CBP) the following records: (1) a spreadsheet showing each seized or searched electronic device from January 1, 2008, through the present; and (2) a copy of the most recent policies or manuals governing electronic device searches and seizures. (Case Number CBP-2014-016996.)

III. Freedom of Information Act Releases

- On March 13, 2014, the Department of Homeland Security (DHS) released to **David Perera**, an editor with *FierceGovernmentIT* in Washington, DC, 189 pages of records consisting of Tech Stat e-mails, memoranda, agendas, and program reports from seven DHS offices. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3, 4, 5, 6, and 7(C). (Case Number 2013-HQFO-00098.)
- On March 13, 2014, the Department of Homeland Security (DHS) released to **Jamie Schell**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, 15 pages of records consisting of a correspondence log for Senator Scott Brown (R-MA). Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00358.)
- On March 13, 2014, U.S. Customs and Border Protection (CBP) issued to **Ellen Nakashima**, a reporter with *The Washington Post* in Washington, DC, a no records determination in response to her request seeking investigations, complaints, or reports of abuse by CBP personnel in the operation of drones. (Case Number CBP-2014-016435.)
- On March 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Robert Deasy**, a director with the **American Immigration Lawyers Association** in Washington, DC, five pages of records pertaining to the Department of Homeland Security (DHS) and/or ICE policy on the interpretation and treatment of false claims to U.S. citizenship, as a ground of inadmissibility and/or deportability under the Immigration and Nationality Act, when made by an alien who is under the age of 18. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(C). (Case Number ICE 2013FOIA16915.)
- On March 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access**

Clearinghouse in Syracuse, New York, one page of records containing the business rules that automate a recommended risk classification assessment for the custodial status of every person who has been detained by ICE. These records were released in full. (Case Number ICE 2013FOIA15735.)

- On March 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, an Excel spreadsheet containing anonymous case-by-case information covered by the ICE Secure Communities reports for September 2013. These records were released in full. (Case Number ICE 2014FOIA668.)
- On March 18, 2014, the Department of Homeland Security (DHS) released to **Allan Blutstein**, a senior counsel with **Cause of Action** in Washington, DC, four pages of records consisting of a position description reflecting the current position, duties, and salary of Charles Edwards, who resigned as Deputy Inspector General on December 16, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00285.)
- On March 18, 2014, U.S. Customs and Border Protection (CBP) issued to **Craig Thomas**, a reporter with **KOLD TV** in Tucson, Arizona, a no records determination in response to his request seeking pre-sequestration and post-sequestration budgetary information for the U.S. Border Patrol, Tucson sector. (Case Number CBP-2013-040190.)
- On March 19, 2014, the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) released to **Ryan Luther**, an individual in Washington, DC, eight pages of records pertaining to correspondence between S&T and the following governor and members of Congress: (1) Congressman Paul Broun (R-GA); (2) Congressman Rodney Davis (R-IL); (3) Congressman John Delaney (D-MD); (4) Congressman Jeff Denham (R-CA); (5) Congressman Robert Dold (R-IL); (6) Congressman Bill Enyart (D-IL); (7) Congressman Bill Foster (D-IL); (8) Congressman Phil Gingrey (R-GA); (9) Governor Nikki Haley (R-SC); (10) Congressman Jack Kingston (R-GA); (11) Senator Pat Roberts (R-KS); (12) Congressman Brad Schneider (D-IL); and (13) Congressman John Tierney (D-MA). These records were released in full. (Case Number 2014-STFO-020.)
- On March 19, 2014, the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) released to **Luke Rosiak**, a journalist with **The Washington Examiner** in Washington, DC, 17 pages of records pertaining to correspondence between S&T and 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) Representative Peter King (R-NY); (4) Representative Patrick Meehan (R-PA); (5) Representative Susan Brooks (R-IN); (6) Representative Jeffrey Duncan (R-SC); and (7) Representative Richard Hudson (R-NC). These records were released in full. (Case Number 2014-STFO-021.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Georgia Latino Alliance for Human Right v. Department of Homeland Security* (N.D. Ga. 12-cv-03702), plaintiffs filed a Freedom of Information Act 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 March 14, 2014, ICE released 481 pages of detainee transfer records from the Atlanta Area of Responsibility.
- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 March 14, 2014, U.S. Immigration and Customs Enforcement (ICE) released 298 pages of e-mail records from the Atlanta Field Office and six 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 Activity for the Week of March 20 - 26, 2014
Privacy Office
March 31, 2014
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 February 4, 2014, the United States Citizenship and Immigration Services (USCIS) deployed a revised Form N-400, Application for Naturalization, on its public facing website. The form provides USCIS with additional tools to make important eligibility determinations, presents clearer instructions, and incorporates technology that improves efficiency and accuracy for both USCIS and its customers.
- On March 19, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library 23 procurement awards and task orders for the DHS Management Directorate (MGMT) for fiscal year 2008 (1,555 pages).
- On March 20, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Chief Freedom of Information Act Officer's Memorandum titled "Freedom of Information Act and 2014 Sunshine Week," dated March 11, 2014 (four pages).
- On March 24, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the DHS National Protection and Programs Directorate (NPPD) Fiscal Year 2013 Freedom of Information Act Log (51 pages).
- On March 24, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Privacy Office January 2014 Freedom of Information Act Log (nine pages).
- On March 24, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Office of Biometric Identity Management (OBIM) Fiscal Year 2013 Freedom of Information Act Log (1,185 pages).
- On March 24, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library the following records: (1) a copy of the Year-to-Date Secure Communities Nationwide Interoperability Report (58 pages); (2) a report on deaths of detainees in ICE custody (nine pages); and (3) Student and Exchange Visitor Information System Quarterly Reviews for the Second, Third, and Fourth Quarters of Fiscal Year 2013 (18 pages).
- On March 26, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library 10 detention facility compliance inspection reports for the following facilities: (1) Bedford Heights City Jail (31 pages); (2) Chase County Detention Facility (31 pages); (3) Coastal Bend Detention Center (33 pages); (4) Eloy Detention Center (24 pages); (5) Hardin County Correctional Center (28 pages); (6) Henderson Detention Center (23 pages); (7) Houston Contract Detention Facility (22 pages); (8) Orange County

Jail (25 pages); (9) Pike County Correctional Facility (35 pages); and (10) Stafford County Department of Corrections (38 pages).

- On March 26, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Revised DHS National Protection and Programs Directorate (NPPD) Federal Protective Service (FPS) Prohibited Items Program Directive 15.9.3.1 (23 pages).
- On March 26, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library former Secretary Janet Napolitano's 2012 Calendar (387 pages).
- On March 26, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Privacy Office February 2014 Freedom of Information Act Log (11 pages).

II. Freedom of Information Act Requests

- On March 20, 2014, **Paul Birmingham**, a producer with *KVOA News 4 Tucson* in Tucson, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to any Tucson-based commercial shuttle companies that have been the subjects of ICE investigations in Southern Arizona from January 1, 2013, through March 10, 2014. (Case Number ICE 2014FOIA12752.)
- On March 20, 2014, **Emily Atteberry**, a reporter with the *Fort Worth Star-Telegram* in Fort Worth, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) statistical records of all transactions of money seized in 2012 and 2013 by the ICE Suspicious Activity Report Review Team in the North Texas Financial Crimes Task Force; (2) a description of the use and/or destination of all money seized; and (3) a copy of the memorandum of understanding created at the inception of the task force. (Case Number ICE 2014FOIA12757.)
- On March 20, 2014, **Dylan Howard**, an editor in chief with *Radar Online* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to Patrick McDermott from January 1, 2009, through the present. (Case Number USCG 2014-1326.)
- On March 20, 2014, **Timothy Johnson**, a reporter with *McClatchy Newspapers* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to delays, backlogs, or problems with conducting background investigations on applicants for the position of U.S. Border Patrol agent from January 1, 2008, through the present. (Case Number CBP-2014-017842.)
- On March 20, 2014, **Timothy Johnson**, a reporter with *McClatchy Newspapers* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the following records pertaining to U.S. Border Patrol agents since January 1, 2008: (1) allegations or reports of physical abuse; (2) allegations of improper use of firearms, and (3) allegations of causing bodily harm or danger to undocumented migrants along the U.S.-Mexico border. (Case Number CBP-2014-017845.)
- On March 20, 2014, **Dave Hendricks**, a reporter with *The Monitor* in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) a copy of the

personnel file pertaining to Esteban Manzanares. (Case Number CBP-2014-017853.)

- On March 20, 2014, **Michel Marizco**, a reporter with *KVOA News 4* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) a copy of the training video produced for the U.S. Border Patrol's El Paso sector in 2010 for the prevention of suicide among U.S. Border Patrol agents. (Case Number CBP-2014-017891.)
- On March 21, 2014, **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the shooting of Jesus Flores-Cruz on February 18, 2014. (Case Number CBP-2014-018089.)
- On March 21, 2014, and March 24, 2014, **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, and **Nate Blakeslee**, a reporter with *Texas Monthly* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the shooting of Guillermo Arevalo Pedroza. (Case Numbers CBP-2014-018088 and CBP-2014-018280.)
- On March 24, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) records of communications between FEMA employees regarding Capstone Exercise 2014. (Case Number FEMA 2014-FEFO-00554.)
- On March 24, 2014, **Dustin Slaughter**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS), Office of Operations Coordination and Planning (OPS) records pertaining to the National Operations Center reports regarding a chemical spill on the Elk River in West Virginia on January 9, 2014. (Case Number OPS 14-OPS-026.)
- On March 25, 2014, **Brian Reed**, a producer and journalist with *This American Life* in New York, New York, requested from the Department of Homeland Security (DHS) a copy of the Alien file for Ibragim Todashev. (Case Number 2014-HQFO-00427.)
- On March 25, 2014, **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to disciplinary action taken by CBP against officers and agents for violating CBP's use of force policy from January 1, 2010, through December 31, 2013. (Case Number CBP-2014-018384.)
- On March 25, 2014, **Bob Ortega**, a reporter with the *Arizona Republic* in Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) investigation reports into the shootings and/or deaths of the following individuals: (1) Ernest Gutierrez Cortez; (2) Steven Keith; (3) Cruz Marcelino Velasquez; (4) Gabriel Sanchez Velasquez; and (5) Jesus Flores-Cruz. (Case Number CBP-2014-018397.)
- On March 25, 2014, **Marty Jones**, an editor with *Fortune* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of the 2004 ICE memorandum proposing that ICE "immediately implement and prioritize an investigative initiative targeting (initially) three of the most prolific/egregious suspect EB-5 promoters." (Case Number ICE 2014FOIA13067.)

- On March 25, 2014, **Jesse Franzblau**, a researcher with **The National Security Archive** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the U.S.-based company Corrections Corporation of America, including the contracts the company has received with respect to migrant detention facilities in the U.S. and Mexico. (Case Number ICE 2014FOIA13073.)
- On March 25, 2014, the Department of Homeland Security (DHS) referred to the DHS Office of Inspector General (OIG) a request from **Mark Flatten**, a reporter with *The Washington Examiner* in Washington, DC, seeking a copy of reports and investigations pertaining to conference costs for the past five years. (Case Number OIG 2014-093.)
- On March 26, 2014, **Dan Murtaugh**, a reporter with *Bloomberg News* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the collision involving the vessels MISS SUSAN and SUMMER WIND on March 22, 2014. (Case Number USCG 2014-1380.)

Late requests

- On March 12, 2014, **Marty Jones**, an editor with *Fortune* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the Immigration and Naturalization Service (INS) memorandum from March 2002 by Senior Special Agent (b)(6),(b)(7)(C) regarding problems with the EB-5 program. (Case Number USCIS COW2014000187.)
- On March 15, 2014, **Stanley Tromp**, a freelance journalist in Vancouver, British Columbia, Canada, requested from the United States Coast Guard (USCG) records pertaining to the joint CANUSDIX and CANUSPAC oil spill exercises with Canada from January 1, 2009, through the present. (Case Number USCG 2014-1292.)
- On March 19, 2014, **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) a copy of incident reports pertaining to shootings on the following dates: (1) June 7, 2010; (2) September 3, 2012; (3) September 28, 2012; and (4) October 10, 2012. (Case Number CBP-2014-017671.)
- On March 19, 2014, **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) a copy of the 67 Reportable Shooting Incidents case files provided by CBP to researchers from the Police Executive Research Forum. (Case Number CBP-2014-017672.)
- On March 19, 2014, **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) a copy of final reports and/or consolidated reports on deadly force incidents submitted to the CBP Use of Force Incident Review Committee or any other office from November 1, 2012, through December 31, 2013. (Case Number CBP-2014-017674.)
- On March 19, 2014, **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the

following records from January 1, 2010, through December 31, 2013: (1) records pertaining to the Use of Force Reporting System; (2) a list of CBP agents and officers disciplined for violating the use of force guidelines; and (3) copy of reports pertaining to disciplinary decisions in use of force cases. (Case Number CBP-2014-017690.)

III. Freedom of Information Act Releases

- On March 19, 2014, U.S. Customs and Border Protection (CBP) issued to **Melissa Correa**, a reporter with *KRGV-TV* in Weslaco, Texas, a full denial in response to her request seeking records pertaining to Esteban Manzanares's alleged suicide and the number of suicides within the Rio Grande Valley sector in the last two fiscal years. These records were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), and 7(C). (Case Number CBP-2014-017467.)
- On March 20, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Luke Rosiak**, a reporter with *The Washington Examiner* in Washington, DC, 23 pages of records consisting of letters of correspondence from USCIS to the following members of Congress: (1) Representative Michael McCaul (R-TX); (2) Representative Candice Miller (R-MI); (3) Representative Peter King (R-NY); (4) Representative Patrick Meehan (R-PA); and (5) Representative Jeffrey Duncan (R-SC). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number USCIS COW2014000159.)
- On March 21, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Paul Lewis**, a correspondent with *The Guardian* in Washington, DC, 42 pages of records consisting of correspondence between USCIS and the following members of Congress: (1) Representative Joe Garcia (D-FL); (2) Representative Ed Royce (R-CA); (3) Representative Ileana Ros-Lehtinen (R-FL); (4) Representative Shelley Moore Capito (R-WV); (5) Representative Eliot Engel (D-NY); (6) Senator Bill Nelson (D-FL); (7) Representative Debbie Wasserman Schultz (D-FL); (8) Representative Connie Mack (R-FL); (9) Senator Claire McCaskill (D-MO); and (10) Senator Robert Menendez (D-NJ). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number USCIS COW2014000139.)
- On March 21, 2014, the Department of Homeland Security (DHS) released to **Jack Gillum**, a reporter with the *Associated Press* in Washington, DC, 14 pages of records consisting of e-mails from former United States Citizenship and Immigration Services (USCIS) Director Alejandro Mayorkas. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 5, and 6. (Case Number 2014-HQFO-00263.)
- On March 25, 2014, the Federal Emergency Management Agency (FEMA) released to **Cary Vogrin**, a representative with *The Gazette* in Colorado Springs, Colorado, one page of records containing a spreadsheet of the number of applicants who received Individual Assistance checks at the Marian House Soup Kitchen/Catholic Charities, Westside CARES, Springs Rescue Mission, and AspenPointe in Colorado Springs, Colorado from September 12, 2013, through

December 23, 2013. These records were released in full. (Case Number FEMA 2014-FEFO-00336.)

- On March 26, 2014, the Federal Emergency Management Agency (FEMA) released to **Ray Henry**, a reporter with the *Associated Press* in Atlanta, Georgia, 81 pages of records consisting of memoranda, disaster assessments, disaster initiated reviews, and e-mails pertaining to the Browns Ferry Nuclear Plant in Alabama. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(E). (Case Number FEMA 2013-FEFO-00099.)
- On March 26, 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, 89 pages of records consisting of e-mails pertaining to the Stuxnet worm. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(E), and 7(F). (Case Number NPPD 12F018.)
- On March 26, 2014, the United States Coast Guard (USCG) released to **Jerome Zeringue**, Chair with the **Coastal Protection and Restoration Authority of Louisiana** in Baton Rouge, Louisiana, 66 pages of records consisting of charts, memoranda, and reports pertaining to the Orphan Anchor Phase II Program. These records were released in full. (Case Number USCG 2012-0575.)
- On March 26, 2014, the United States Coast Guard (USCG) released to **Anna Boiko-Weyrauch**, a reporter with *National Public Radio News* in Washington, DC, an audio recording pertaining to Incident Report number 1073825. These records were released in full. (Case Number USCG 2014-1019.)
- On March 26, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on each ICE removal (including returns) in fiscal year 2013 for individuals turned over to ICE directly after serving their prison terms. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2014FOIA00658.)
- On March 26, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on ICE removals (including returns) for November 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2014FOIA03998.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On March 21, 2014, ICE released the first production of 508 pages of sample Post Order Custody Review records to the plaintiffs.

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 March 27 – April 2, 2014
Privacy Office
April 7, 2014
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 March 31, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library 12 sets of records pertaining to Freedom of Act requests received by the DHS Privacy Office in fiscal year 2008 (2,053 pages).
- On March 31, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Fiscal Year 2009 through 2013 Premium Class Travel Reports (eight pages).

II. Freedom of Information Act Requests

- On March 27, 2014, **Todd Spangler**, a reporter with the *Detroit Free Press* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to setting priorities for construction or maintenance at U.S. ports of entry from 2009 through the present; and (2) records pertaining to a New International Trade Crossing in Detroit, Michigan from April 12, 2013, through the present. (Case Number CBP-2014-018747.)
- On March 27, 2014, **Eliot Caroom**, a reporter with *Bloomberg News* in New York, New York, requested from the United States Coast Guard (USCG) a copy of National Response Center reports submitted from March 24, 2014, through the present for the following companies: (1) BP; (2) Phillips 66; (3) Valero; (4) Tesoro; (5) Motiva; (6) Exxon; and (7) Marathon. (Case Number USCG 2014-1394.)
- On March 27, 2014, **Anya Litvak**, a reporter with the *Pittsburgh Post-Gazette* in Pittsburgh, Pennsylvania, requested from the United States Coast Guard (USCG) a list of non-passenger train accidents in Pennsylvania over the past five years. (Case Number USCG 2014-1401.)
- On March 27, 2014, **Leila Fujimori**, a reporter with the *Honolulu Star-Advertiser* in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to the investigation into Kenan Knieriem's death on September 20, 2011. (Case Number USCG 2014-1402.)
- On March 27, 2014, **Lise Olsen**, a reporter with the *Houston Chronicle* in Houston, Texas, requested from the United States Coast Guard (USCG) a copy of recordings pertaining to an incident involving the vessels MISS SUSAN and SUMMER WIND on March 22, 2014. (Case Number USCG 2014-1439.)
- On March 27, 2014, **Todd Miyazawa**, a representative with *NBC News* in Los Angeles, California, requested from the Federal Emergency Management Agency (FEMA) a copy of aerial still photographs and videos pertaining to the Washington Mudslide located near Oso, Washington. (Case Number FEMA 2014-FEFO-00575.)

- On March 27, 2014, **CJ Ferry**, a producer and co-host with *Spindle City Straight Talk* in Fall River, Massachusetts, requested from the Federal Emergency Management Agency (FEMA) a copy of all Staffing for Adequate Fire and Emergency Response grant applications for the City of Fall River, Massachusetts from 2009 through 2013. (Case Number FEMA 2014-FEFO-00576.)
- On March 28, 2014, **Scott MacFarlane**, a reporter, with *NBC4* in Washington, DC, requested from the United States Secret Service (USSS) a list of all misconduct cases involving USSS employees in fiscal years 2012 through 2014, including the nature of misconduct, date, disciplinary action taken, and location of employee. (Case Number USSS 20140489.)
- On March 28, 2014, **Scott MacFarlane**, a reporter, with *NBC4* in Washington, DC, requested from the United States Secret Service (USSS) records pertaining to President Obama's Cadillac One Presidential Limousine, also known as "The Beast." (Case Number USSS 20140490.)
- On March 28, 2014, **Amy Taxin**, a reporter with the *Associated Press* in Tustin, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to jurisdictions that fail to honor ICE detainers, the number of individuals released as a result, and the number of those individuals remaining at large. (Case Number ICE 2014FOIA13609.)
- On March 31, 2014, **John Greenwald, Jr.**, a reporter with *The Black Vault* in Northridge, California, requested from the United States Coast Guard (USCG) records pertaining to the raid of the home of journalist Audrey Hudson. (Case Number USCG 2014-1432.)
- On March 31, 2014, **Lena Groeger**, a journalist with *ProPublica* in New York, New York, requested from the United States Coast Guard (USCG) a copy of all inspection reports for all passenger ships inspected from 2004, through the present. (Case Number USCG 2014-1452.)
- On April 1, 2014, **Henry Medrano**, an assignment desk manager with *KIAH TV/NewsFix* in Houston, Texas, requested from the United States Coast Guard (USCG) a copy of audio recordings of conversations between the captains of the vessels MISS SUSAN and SUMMER WIND during the March 22, 2014 collision in the Houston Ship Channel. (Case Number USCG 2014-1465.)
- On April 1, 2014, **Adriana Pinon**, an attorney with the **American Civil Liberties Union of Texas** in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to the Department of Homeland Security (DHS), Office of Inspector General (OIG) report titled, "CBP Use of Force Training and Actions to Address Use of Force Incidents;" (2) records pertaining to CBP's tracking of use of force complaints; (3) CBP's training and auditing programs regarding use of force; and (4) complaints of excessive force in the Rio Grande Valley Sector. (Case Number CBP-2014-019437.)
- On April 1, 2014, **Yami Virgin**, a reporter with *KABB Fox San Antonio* in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to items seized at the San Antonio International Airport and the private jet airport from 2012 through the present. (Case Number CBP-2014-019580.)

Late requests

- On March 26, 2014, **Travis Loller**, a reporter with the *Associated Press* in Nashville, Tennessee, requested from U.S. Customs and Border Protection (CBP) records pertaining to a report on a small plane crash that occurred on October 29, 2013, at the Nashville International Airport. (Case Number CBP-2014-018679.)

III. Freedom of Information Act Releases

- On March 27, 2014, U.S. Customs and Border Protection (CBP) released to **Rory Campbell**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, 10 pages of records consisting of correspondence to CBP from Congressman Steve King (R-IA) from June 1, 2011, through April 11, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP 2013F15043.)
- On March 28, 2014, the Federal Emergency Management Agency (FEMA) released to **Cezary Podkul**, a journalist with *Thomas Reuters* in New York, New York, approximately 4,000,665 pages of records consisting of Excel spreadsheets and other records pertaining to Individual and Public Assistance claims paid for flood disasters from 1998 through 2011. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FEMA 2013-FEFO-00264.)
- On March 30, 2014, the United States Coast Guard (USCG) released to **Dan Murtaugh**, a reporter with *Bloomberg News* in New York, New York, three VHF recordings of the vessels MISS SUSAN and SUMMER WIND pertaining to a collision involving the vessels on March 22, 2014. These records were released in full. (Case Number USCG 2014-1380.)
- On March 31, 2014, the Department of Homeland Security (DHS) issued to **Rich Lord**, a reporter with the *Pittsburgh Post-Gazette* in Pittsburgh, Pennsylvania, a no records determination in response to his request seeking records pertaining to budgets for funds allocated for distribution to confidential human sources, confidential informants, cooperating witnesses, or other non-employees who may receive payment for evidence, for fiscal years 2010 through 2014. (Case Number 2014-HQFO-00184.)
- On April 2, 2014, the Federal Emergency Management Agency (FEMA) released to **Carl Takei**, an attorney with the **American Civil Liberties Union** in Washington, DC, 1,986 pages of records consisting of project worksheets pertaining to FEMA funding for the demolition, rebuilding, repair, or expansion of the Orleans Parish Prison. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 5, and 6. (Case Number FEMA 2013-FEFO-00117.)
- On April 2, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Martha Mendoza**, a reporter with the *Associated Press* in Santa Cruz, California, 29 pages of records consisting of e-mails and reports pertaining to the following information: (1) aggregate annual totals of cyber or online vulnerabilities that were reported, on which systems, and how many of those were tracked; (2) denial of service attacks by date and site of attack; (3)

aggregate annual totals of online breaches and on which systems; (4) details of all online breaches; (5) aggregate annual totals of how many social security numbers were lost through breaches; (6) aggregate annual totals of how many employees' passwords were compromised; (7) aggregate annual totals of how many computers were replaced due to infection; (8) aggregate annual totals of how many times the agency ordered the replacement of infected programmable logic controllers; (9) warnings about existing threats sent to employees; (10) annual total cyber security budget; (11) current and past contracts awarded for cyber security; (12) communications with Google, Apple, Facebook, and Twitter regarding cyber security and hacking; (13) a copy of closed investigations into cyber attacks; and (14) records pertaining to the purchase of remote access software, international mobile subscriber identify catchers, or silent text technology. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number USCIS COW2013001005.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-04825), plaintiff filed a Freedom of Information Act 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 March 28, 2014, U.S. Immigration and Customs Enforcement (ICE) released its twelfth and final response, consisting of 268 pages of e-mail records from the ICE Office of the Principal Legal Advisor.
- In the matter of *Georgia Latino Alliance for Human Rights v. Department of Homeland Security* (N.D. Ga. 12-cv-03702), plaintiffs filed a Freedom of Information Act 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 April 2, 2014, ICE released 250 pages of records consisting of Form I-213 narratives.

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 April 3 - 9, 2014

Privacy Office

April 14, 2014

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 April 7, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library 20 sets of records pertaining to Freedom of Information Act requests received by the DHS Privacy Office in fiscal year 2008 (1,398 pages).

II. Freedom of Information Act Requests

- On April 3, 2014, **Anna Louie Sussman**, a journalist with *Thomson Reuters* in New York, New York, requested from the United States Coast Guard (USCG) traffic and safety records for the past 10 years for the following ports or zones/areas: (1) along the Gulf Intracoastal Waterway; (2) around the mouth of the Mississippi River; (3) Port Arthur, Texas; and (4) Port of Corpus Christi, Texas. (Case Number USCG 2014-1510.)
- On April 3, 2014, **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data, by month, on the number of U.S. repatriations of Mexican Nationals from 2010 through 2013. (Case Number ICE 2014FOIA13934.)
- On April 4, 2014, **Chris Ingalls**, a reporter with *KING 5* in Seattle, Washington, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Seattle Field Office's Northwest Detention Center in Tacoma, Washington, regarding the food and housing conditions in the facility in the wake of an ongoing hunger strike by ICE detainees. (Case Number ICE 2014FOIA14045.)
- On April 7, 2014, **John Greenewald, Jr.**, a freelance reporter in Northridge, California, requested from U.S. Immigration and Customs Enforcement (ICE) immigration and visa records pertaining to (b)(6) (Case Number ICE 2014FOIA14159.)
- On April 7, 2014, **Siem Eikelenboom**, a reporter with the *Dutch Financial Daily* in Amsterdam, The Netherlands, requested from the United States Coast Guard (USCG) a copy of the report pertaining to the grounding of the Kulluk drilling rig. (Case Number USCG 2014-1523.)
- On April 7, 2014, **TJ Aulds**, an editor with the *Galveston County Daily News* in Galveston, Texas, requested from the United States Coast Guard (USCG) VTS traffic records pertaining to the collision on March 22, 2014, between the vessels MISS SUSAN and SUMMER WIND. (Case Number USCG 2014-1529.)
- On April 8, 2014, **Grace Jun** and **Joseph McMullen**, representatives on behalf of the **American Friends Service Committee San Diego** in San Diego, California, requested from the Department of Homeland Security (DHS), Office of Inspector

General (OIG) the following records: (1) an unredacted copy of the September 12, 2013 OIG report titled “CBP Use of Force Training and Actions to Address Use of Force Incidents;” and (2) records pertaining to the internal review of U.S. Customs and Border Protection (CBP) by the CBP Use of Force Incident Review Team/Committee, as mentioned on page 16 of the report. (Case Number OIG 2014-100.)

Late requests

- On April 1, 2014, and April 2, 2014, **Cody Lillich**, an investigative producer and reporter with *KLTV 7 News* in Tyler, Texas, and **Lise Olsen**, a reporter with the *Houston Chronicle* in Houston, Texas, requested from the United States Coast Guard (USCG) various records pertaining to the collision on March 22, 2014, between the vessels MISS SUSAN and SUMMER WIND. (Case Numbers USCG 2014-1496 and USCG 2014-1485.)
- On April 2, 2014, **Douglas Gillison**, a staff writer with **100Reporters** in Washington, DC, requested from the United States Coast Guard (USCG) records pertaining to incidents involving vessels in the Distant Water Tuna Fleet. (Case Number USCG 2014-1492.)
- On April 2, 2014, **Iris Kuo**, a reporter with *Argus Media* in Houston, Texas, requested from the United States Coast Guard (USCG) records pertaining to hazardous material derailment or train accidents since 2008. (Case Number USCG 2014-1493.)
- On April 2, 2014, **Navideh Forghani**, a reporter with *KNXV ABC15* in Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) the following records: (1) a copy of the U.S. Border Patrol Foreign Military Incursions Report; (2) summaries of any Mexican military incursions; and (3) a copy of a letter sent from Commissioner Gil Kerlikowske to Senator Tom Coburn (R-OK) pertaining to a recent incursion. (Case Number CBP-2014-019777.)

III. Freedom of Information Act Releases

- On April 2, 2014, the United States Coast Guard (USCG) released to **Lucy Kinder**, an individual; **Allen Martin**, a news anchor and reporter with *KPIX-TV/KBCW-TV* in San Francisco, California; **Ayan Kayal**, legal counsel with *CBS Interactive, Inc.* in San Francisco, California; **Brad Heath**, a reporter with *USA Today* in McLean, Virginia; and **Jeff Elder**, a reporter with *The Wall Street Journal*, 334 pages of records consisting of photographs, e-mails, Certificates of Inspections, letters, and memoranda pertaining to barges BAL 0010, BAL 0011, BAL 0001, and BAL 0100. Portions of the releases were withheld pursuant to Freedom of Information Act Exemptions 4, 5, 6, and 7(C). (Case Numbers USCG 2014-0241, USCG 2014-0248, USCG 2014-0258, USCG 2014-0267, and USCG 2014-0273.)
- On April 3, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 29 pages of records pertaining to investigations 11-CBP-DRT-00016 and 10-CBP-LAR-00742.

Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-063.)

- On April 3, 2014, the Department of Homeland Security (DHS) issued to **Brian Reed**, a producer and journalist with *This American Life* in New York, New York, a full denial in response to his request seeking a copy of the Alien file for Ibragim Todashev. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number 2014-HQFO-00427.)
- On April 4, 2014, the Department of Homeland Security (DHS) released to **Mark Flatten**, a reporter with *The Washington Examiner* in Washington, DC, 527 pages of records consisting of e-mails and planning records pertaining to the DHS Efficiency Review. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number 2013-HQFO-00018.)
- On April 7, 2014, and April 8, 2014, the United States Coast Guard (USCG) released to **Cody Lillich**, an investigative producer and reporter with *KLTV 7 News* in Tyler, Texas, and **TJ Aulds**, an editor with the *Galveston County Daily News* in Galveston, Texas, three VHF recordings pertaining to a collision on March 22, 2014, involving the vessels MISS SUSAN and SUMMER WIND. These records were released in full. (Case Numbers USCG 2014-1496 and USCG 2014-1529.)
- On April 7, 2014, the Department of Homeland Security (DHS) issued to **David Perera**, an editor with *FierceHomeland Security* in Washington, DC, a full denial in response to his request seeking records pertaining to BioWatch Generation 3 analysis of alternatives. These records were withheld pursuant to Freedom of Information Act Exemptions 4, 5, 6, and 7(F). (Case Number 2014-HQFO-00314.)
- On April 9, 2014, the Department of Homeland Security (DHS) issued to **Jehan Patterson**, a representative with **Public Citizen** in Washington, DC, a no records determination in response to his request seeking records pertaining to communications between DHS and Bob Woodward, a journalist with *The Washington Post*, from January 20, 2009, through the present. (Case Number 2014-HQFO-00229.)
- On April 9, 2014, U.S. Customs and Border Protection (CBP) issued to **Travis Loller**, a reporter with the *Associated Press* in Nashville, Tennessee, a full denial in response to her request seeking records pertaining to a plane crash on October 29, 2013, near the Nashville International Airport. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-018679.)
- On April 9, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Michael Morisy**, a representative with **MuckRock News** in Boston, Massachusetts, 35 pages of records consisting of congressional correspondence logs. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number OIG 2013-165.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On April 3, 2014, U.S. Customs and Border Protection (CBP) released to **Jeremy Schwartz**, a reporter with the *Austin American-Statesman* in Austin, Texas, one page of records consisting of a chart showing the aggregate number of apprehensions 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. These records were released in full. (Case Number CBP-AP-2014-011623.)
- On April 3, 2014, U.S. Customs and Border Protection (CBP) released to **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, three pages of records consisting of a Significant Incident Report pertaining to the Predator B crash on January 27, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2014-013668.)
- On April 8, 2014, U.S. Customs and Border Protection (CBP) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, one page of records consisting of the order authorizing resumption of Unmanned Aircraft System operations following the Predator B crash on January 27, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2014-016233.)

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 April 7, 2014, ICE made its second supplemental release, consisting of 3,788 pages of Office of Professional Responsibility Office of Detention Oversight compliance inspection reports.

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 April 10 - 16, 2014
Privacy Office
April 21, 2014
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 April 11, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the 2014 Chief Freedom of Information Act Officer Report to the Attorney General (55 pages).
- On April 14, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library reports detailing the average daily population in ICE's detention facilities (33 pages).
- On April 15, 2014, and April 16, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library its Freedom of Information Act logs for January 2014 (183 pages) and February 2014 (199 pages).

II. Freedom of Information Act Requests

- On April 10, 2014, **Michael Gartland**, a reporter with the *New York Post* in New York, New York, requested from the United States Coast Guard (USCG) the following records: (1) a copy of 127 marine casualty reports on the Molinari-class vessels; (2) a copy of casualty reports on other Staten Island ferry vessels from 2003 through the present; and (3) a list of all casualty reports during that time frame. (Case Number USCG 2014-1588.)
- On April 10, 2014, **Ann Swinburn**, an individual in Oakland, California, requested from the Department of Homeland Security (DHS) the following records pertaining to former DHS Assistant Secretary for Intergovernmental Programs Juliette Kayyem, from March 2009, through December 2010: (1) records pertaining to salary and salary increases; (2) records pertaining to benefits including health, retirement, automobile allowance, housing allowance, and/or any other employee benefit; (3) per diem payments; and (4) records pertaining to payments regarding expenses related to travel, meals, or other "perks." (Case Number 2014-HQFO-00446.)
- On April 10, 2014, **Lee Bowman**, a correspondent with *Scripps News* in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) a copy of the Preliminary Disaster Assessments and determination letters for all Presidential Disaster Declarations turned down from January 1, 2000, through December 31, 2007. (Case Number FEMA 2014-FEFO-00603.)
- On April 11, 2014, **Steven Emerson**, President with **SAE Productions** in Washington, DC, requested from Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A) records pertaining to contacts and/or meetings between John Cohen, former I&A Acting Under Secretary and DHS Chief Counterterrorism Coordinator, and any organizations or individuals

regarding training materials and sessions concerning community outreach efforts for countering violent extremism. (Case Number I&A 2014-IAFO-00125.)

- On April 11, 2014, **Jim Hoffer**, a journalist with *WABC-TV* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to investigation reports on various Staten Island ferry vessels from May 2011, through the present. (Case Number USCG 2014-1594.)
- On April 14, 2014, **Corinne Reilly**, a reporter with *The Virginian-Pilot* in Norfolk, Virginia, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to Jeffrey Savage's application for a Transportation Worker Identification Credential; and (2) e-mails sent to or from DHS employee Marsha Catron from March 24, 2014, through the present, that include any reference to Jeffrey Savage, the Transportation Worker Identification Credential program, or the Department of the Navy. (Case Number 2014-HQFO-00453.)
- On April 15, 2014, **Brock Vergakis**, an individual in Norfolk, Virginia, requested from the Department of Homeland Security (DHS) records pertaining to Freedom of Information Act requests and responses made by media organizations and reporters following the fatal shooting at Naval Station Norfolk in March 2014, including but not limited to: (1) requests about the Transportation Worker Identification Credential program; (2) Jeffrey Savage's Transportation Worker Identification Credential application or waiver request; (3) records that indicate DHS's and the Transportation Security Administration's (TSA) response and reaction to the shooting; and (4) records of correspondence between DHS, TSA, and the Department of the Navy. (Case Number 2014-HQFO-00455.)
- On April 15, 2014, **Sean Dunagan**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to the authorization of DHS Deputy Managing Counsel Prudence Beidler Carr to serve on the Board of Directors of the Insight Center for Community Economic Development; and (2) a copy of e-mails from the official DHS e-mail account of Ms. Carr to or from any e-mail address terminating in the domain "@insightccd.org" from October 1, 2012, through the present. (Case Number 2014-HQFO-00459.)
- On April 15, 2014, **Robert O'Harrow, Jr.**, a staff writer with *The Washington Post* in Washington, DC, requested from the Federal Law Enforcement Training Centers (FLETC) and the Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A) records pertaining to drug interdiction and counter-terrorism training provided by, or coordinated with, Desert Snow, LLC and Black Asphalt, LLC. (Case Numbers FLETC FOIA 14-052 and I&A 2014-IAFO-00128.)
- On April 16, 2014, **Sean Sweeney**, an individual in Alexandria, Virginia, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a record of all Freedom of Information Act requests DHS-OIG received pertaining to Senator Mark Warner (D-VA). (Case Number OIG 2014-104.)

Late requests

- On April 3, 2014, **Joe O’Sullivan**, a journalist with the *Rapid City Journal* in Rapid City, South Dakota, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the USCIS designation of all EB-5 regional centers made on April 8, 2004. (Case Number USCIS COW2014000236.)
- On April 4, 2014, **Amy Keller**, an editor with the *Florida Trend* in St. Petersburg, Florida, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between USCIS and the following: (1) MedPro and/or MedPro Healthcare Staffing; and (2) the iTRACE Foundation regarding I-129 petitions and H-1B visas. (Case Number USCIS COW2014000228.)
- On April 8, 2014, **Eva Parks**, an investigative producer with *NBC 5* in Fort Worth, Texas, requested from the Federal Emergency Management Agency (FEMA) records pertaining to FEMA funding granted for safe rooms under the Pre-Disaster Mitigation and Hazard Mitigation Grant Programs for all states for the last two fiscal years. (Case Number FEMA 2014-FEFO-00598.)
- On April 8, 2014, **West Hubbard**, an individual in Durham, North Carolina, requested from U.S. Customs and Border Protection (CBP) records of communication pertaining to the request made to the Bureau of Alcohol, Tobacco, Firearms and Explosives to classify 5.45x39 ammunition as armor piercing. (Case Number CBP-2014-020969.)
- On April 9, 2014, **Vriti Jain**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, requested from the Department of Homeland Security (DHS), records of correspondence, from or on behalf of Mississippi State Senator Christopher McDaniel (R-MS) in his official capacity or as an individual, from 2008 through the present. (Case Number 2014-HQFO-00444.)

III. Freedom of Information Act Releases

- On April 4, 2014, the United States Coast Guard (USCG) released to **Tom McLaughlin**, a staff writer with the *Northwest Florida Daily News* in Fort Walton, Florida, 150 pages of records consisting of e-mails, case reports, maps, witness statements, photographs, certificates, letters, and checklists pertaining to a bridge strike. These records were released in full. (Case Number USCG 2014-0877.)
- On April 4, 2014, the United States Coast Guard released to **Michael Finch**, a journalist with the *Alabama Media Group* in Mobile, Alabama, 116 pages of records consisting of inspections, case reports, checklists, enforcements, and letters pertaining to Oil Recovery Company. These records were released in full. (Case Number USCG 2014-1048.)
- On April 10, 2014, the United States Coast Guard (USCG) released to **Dylan Howard**, editor in chief with *Radar Online* in New York, New York, 197 pages of records consisting of investigation reports, checklists, letters, witness statements, and bank statements pertaining to an investigation regarding Patrick

McDermott. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number USCG 2014-1326.)

- On April 11, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Robert Deasy**, a director with the **American Immigration Lawyers Association** in Washington, DC, 267 pages of records consisting of e-mails, policy and training records, and a memorandum pertaining to the treatment of cases involving same-sex marriages following the *United States v. Windsor* Supreme Court decision. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number USCIS COW2013000854.)
- On April 11, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, 23 pages of records consisting of annual reports required under the Attorney General Guidelines for Offices of Inspector General from 2010 through 2013. These records were released in full. (Case Number OIG 2014-026.)
- On April 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Sean Dunagan**, an investigator with **Judicial Watch** in Washington, DC, 89 pages of records pertaining to the implementation of deferred action and/or prosecutorial discretion procedures for undocumented individuals who entered the United States as minors. These records were released in full. (Case Number ICE 2012FOIA22598.)
- On April 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Pena**, a reporter with **La Opinion/Impremedia** in Gaithersburg, Maryland, five Excel spreadsheets pertaining to the number of illegal immigrants deported from the United States from 2009 through 2013. These records were released in full. (Case Number ICE 2014FOIA4211.)
- On April 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Lindsay Brayton**, a research assistant with the **Trachtenberg School of Public Policy and Public Administration, George Washington University** in Washington, DC, three pages of records pertaining to historical records regarding the performance measures used at ICE. These records were released in full. (Case Number ICE 2013FOIA27357.)
- On April 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, an Excel spreadsheet containing anonymous data on ICE detainers issued in April 2013. These records were released in full. (Case Number ICE 2013FOIA19520.)
- On April 15, 2014, the United States Coast Guard (USCG) released to **Mike Clary**, a reporter with the **Sun Sentinel** in Fort Lauderdale, Florida, 175 pages of records consisting of case reports, photographs, witness statements, e-mails, and radio logs pertaining to the vessel FINE TUNA. These records were released in full. (Case Number USCG 2014-0951.)
- On April 15, 2014, the United States Coast Guard (USCG) released to **Marcus Green**, a reporter with **WDRB News** in Louisville, Kentucky, two pages of records consisting of a draft response pertaining to National Transportation Safety

Board recommendations M-13-07 and M-13-08. These records were released in full. (Case Number USCG 2014-0988.)

- On April 16, 2014, the United States Coast Guard (USCG) released to **Brian Sasser**, a reporter with **KPRC-TV** in Houston, Texas, five recordings from channel 16 pertaining to a boating incident on March 22, 2014. These records were released in full. (Case Number USCG 2014-1384.)
- On April 16, 2014, the Transportation Security Administration (TSA) released to **Alissa Bohling**, an assistant editor and writer with **Truthout** in Portland, Oregon, 502 pages of records consisting of complaints, responses, agency guidance, and equipment manuals. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3, 5, and 6. (Case Number TSA 2013-TSFO-00847.)
- On April 16, 2014, U.S. Customs and Border Protection (CBP) released to **Katherine Haas**, a representative with the **American Civil Liberties Union** in New York, New York, 117 pages of records consisting of the Civil Rights/Civil Liberties Impact Assessment on Border Searches of Electronic Devices prepared by the Department of Homeland Security (DHS), Office for Civil Rights and Civil Liberties (CRCL). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2013-005525.)
- On April 16, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, an Excel spreadsheet containing anonymous, case-by-case information on each removal and return derived from ICE Secure Communities for August 2013. These records were released in full. (Case Number ICE 2013FOIA32980.)
- On April 16, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, an Excel spreadsheet containing case-by-case information on each removal and return as derived from ICE Secure Communities for January 2014. These records were released in full. (Case Number ICE 2014FOIA09296.)

IV. Freedom of Information Act Appeals

- On April 3, 2014, **Ghita Schwarz**, an attorney with the **Center for Constitutional Rights** in New York, New York, appealed the adequacy of the search by the Department of Homeland Security (DHS), DHS Office for Civil Rights and Civil Liberties (CRCL), the Federal Law Enforcement Training Centers (FLETC), and the United States Citizenship and Immigration Services (USCIS) pertaining to her request seeking records regarding home enforcement operations and the impact on local communities. (Case Number 2014-HQAP-00048.)

V. Freedom of Information Act Appeals Releases

- On April 16, 2014, U.S. Customs and Border Protection (CBP) released to **Brandon Baseman**, a negotiations legal specialist with the **National Treasury**

Employees Union in Washington, DC, an Excel spreadsheet consisting of 9,766 lines of data pertaining to performance rated on a four level system. These records were released in full. (Case Number CBP-AP-2014-017914.)

VI. Litigation

- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 April 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 400 pages of e-mail records from the Atlanta Field Office and 14 Excel spreadsheets.
- In the matter of *Georgia Latino Alliance for Human Rights v. Department of Homeland Security* (N.D. Ga. 12-cv-03702), plaintiffs filed a Freedom of Information Act 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 April 15, 2014, ICE released 315 pages of detainee transfer records from the Atlanta Field Office.

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 April 17 - 23, 2014
Privacy Office
April 28, 2014
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 April 10, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library 20 sets of records pertaining to Freedom of Information Act requests received by the DHS Privacy Office in fiscal year 2009 (2,095 pages).
- On April 18, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room the Freedom of Information Act Logs for the First Quarter of Calendar Year 2014 (three pages).
- On April 18, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room the Congressional Correspondence Logs for the First Quarter of Calendar Year 2014 (one page).
- On April 21, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Privacy Office March 2014 Freedom of Information Act Log (six pages).
- On April 21, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the August 2013, through February 2014 Chief Freedom of Information Act Officer Weekly Reports (151 pages)
- On April 21, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Federal Funding and Transparency Act Open Government Data Sets (2,677 pages).

II. Freedom of Information Act Requests

- On April 17, 2014, **Jesse Franzblau**, a representative with **The National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the “Procedures and Guidelines for Operations and other Functions for the United States of America-United Mexican States Cross Border Public Security Communications Network along the Common Border.” (Case Number 2014-HQFO-00464.)
- On April 17, 2014, **Douglas Lucas**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) records from several DHS senior officials pertaining to Mexican police or Mexican military at Fort Bliss, Texas, from January 1, 2010, through the present. (Case Number 2014-HQFO-00465.)
- On April 18, 2014, **Ann Swinburn**, an individual in Oakland, California, requested from the Department of Homeland Security (DHS) a copy of public financial disclosure forms filed by former DHS Assistant Secretary for

Intergovernmental Programs Juliette Kayyem, from March 2009, through December 2010. (Case Number 2014-HQFO-00466.)

- On April 18, 2014, **WFTS-ABC Action News** in Tampa, Florida, requested from the United States Coast Guard (USCG) a copy of an investigation pertaining to the vessel MARIGOLA in an incident on April 17, 2014, in Tampa, Florida. (Case Number USCG 2014-1659.)
- On April 18, 2014, **Dave Hendricks**, a reporter with **The Monitor** in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) records explaining administratively uncontrollable overtime that were distributed to prospective Border Patrol agents at the Border Patrol Academy in 2013. (Case Number CBP-2014-022778.)
- On April 18, 2014, **Dave Hendricks**, a reporter with **The Monitor** in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) the following records: (1) a copy of the January 1, 2014 letter from Superintendent of Bridges Rigoberto Villarreal to Acting CBP Commissioner Thomas S. Winkowski; and (2) a copy of the February 26, 2014 letter from Acting CBP Commissioner Winkowski to Superintendent of Bridges Villarreal. (Case Number CBP-2014-022779.)
- On April 18, 2014, **Dave Hendricks**, a reporter with **The Monitor** in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) records of communications between the City of Pharr, Texas and Acting CBP Commissioner Thomas S. Winkowski from January 1, 2014, through the present. (Case Number CBP-2014-022780.)
- On April 21, 2014, **Timothy Warren**, Executive Editor with **International Trade Today** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of communications from January 1, 2014, through the present between CBP officials and the following members of Congress or their staff: (1) Representative David Camp (R-MI); (2) Representative Sander Levin (D-MI); (3) Representative Devin Nunes (R-CA); (4) Representative Charles Rangel (D-NY); (5) Senator Max Baucus (D-MT); (6) Senator Orrin Hatch (R-UT); (7) Senator Ron Wyden (D-OR); (8) Senator John Thune (R-SD); (9) Senator Debbie Stabenow (D-MI); and (10) Senator Johnny Isakson (R-GA). (Case Number CBP-2014-023009.)
- On April 21, 2014, **Scott Platton**, a researcher with **The CATO Institute** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to state-level REAL ID funding, including a breakdown of funds given by DHS to individual state and local governments for implementing the licensing/identification provisions of the REAL ID Act of 2005. (Case Number 2014-HQFO-00468.)
- On April 22, 2014, **Joanna McCall**, Assistant Secretary with **National Corporate Research Ltd.** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of contracts pertaining to fraud detection, identity management, credit monitoring, and identity verification, with the following companies, and their subsidiaries or affiliates: (1) Experian Information Solutions, Inc.; (2) Equifax Information Services, LLC; (3) TransUnion Corp.; (4) LexisNexis; (5) Reed Elsevier; (6) Thomson Reuters; and (7) West Publishing

Corp, from January 1, 2012, through April 1, 2014. (Case Number ICE 2014FOIA15714.)

Late requests

- On April 9, 2014, **Sean Dunagan**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the late Zeituni Onyango. (Case Number USCIS COW2014000242.)

III. Freedom of Information Act Releases

- On April 17, 2014, the Department of Homeland Security (DHS) issued to **Vriti Jain**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, a no records determination in response to his request seeking records of correspondence, from or on behalf of Mississippi State Senator Christopher McDaniel (R-MS) in his official capacity or as an individual, from 2008 through the present. (Case Number 2014-HQFO-00444.)
- On April 18, 2014, the Federal Emergency Management Agency (FEMA) released to **Andrew Wyner**, an investigator with the **Project on Government Oversight** in Washington, DC, 15 pages of records consisting of the Statement of Work for contract HSFEHQ06A0850. These records were released in full. (Case Number FEMA 2013-FEFO-00087.)
- On April 21, 2014, the Transportation Security Administration (TSA) released to **Shannon Maze**, a journalist with **WBRC Fox 6** in Birmingham, Alabama, 17 pages of records consisting of witness statements pertaining to an incident on March 23, 2013, at the Birmingham Shuttlesworth International Airport in Birmingham, Alabama. These records were released in full. (Case Number TSA 2013-TSFO-00988.)
- On April 22, 2014, the Federal Emergency Management Agency (FEMA) released to **Conrad Wilson**, a reporter with **Minnesota Public Radio News** in Saint Paul, Minnesota, 78 pages of records consisting of e-mails, letters, a memorandum, and other records pertaining to Minnesota's request to FEMA for private property assistance for the June 2012 flooding. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number FEMA 2013-FEFO-00025.)
- On April 22, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Sean Sweeney**, an individual in Alexandria, Virginia, two pages of records consisting of a Freedom of Information Act request received by DHS-OIG regarding Senator Mark Warner (D-VA). These records were released in full. (Case Number OIG 2014-104.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On April 21, 2014, ICE released the second production of 999 pages of sample Post Order Custody Review 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 Activity for the Week of April 24 - 30, 2014

Privacy Office

May 5, 2014

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 April 24, 2014, **Geoff Embler**, an individual in Arlington, Virginia, requested from the Department of Homeland Security (DHS) records of correspondence between personnel in the Office of the Secretary and former New Mexico Governor Bill Richardson (D-NM). (Case Number 2014-HQFO-00478.)
- On April 24, 2014, **Robert Tuttle**, a reporter with *Bloomberg News* in New York, New York, requested from the United States Coast Guard (USCG) a list of incidents reported from April 23, 2014, through April 24, 2014, in the National Response Center database. (Case Number USCG 2014-1707.)
- On April 24, 2014, **Jeremy Redmon**, a reporter with the *Atlanta Journal-Constitution* in Atlanta, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data pertaining to the release of detainees from ICE custody from January 11, 2012, through the present. (Case Number ICE 2014FOIA15863.)
- On April 25, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS), Office of Inspector (OIG) a copy of e-mails between former Acting Inspector General Charles Edwards and the following individuals: (1) former Secretary Janet Napolitano; and (2) former DHS Acting General Counsel and former U.S. Immigration and Customs Enforcement (ICE) Acting Director John Sandweg, from January 1, 2010, through December 31, 2013. (Case Number OIG 2014-107.)
- On April 25, 2014, **Darren Eustace**, owner and founder with **Malleus Political Strategies** in Apex, North Carolina, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to an ICE Worksite Enforcement Operation at the Mills Manufacturing Plant in Asheville, North Carolina on August 12, 2008. (Case Number ICE 2014FOIA15949.)
- On April 28, 2014, **Karen Tumlin**, an attorney with the **National Immigration Law Center** in Los Angeles, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to information sharing between state driver's license agencies and ICE for immigration enforcement purposes from January 1, 2009, through the present. (Case Number ICE 2014FOIA16276.)
- On April 28, 2014, **Monique Harden**, an attorney with **Advocates for Environmental Human Rights** in New Orleans, Louisiana, requested from the Federal Emergency Management Agency (FEMA) a copy of the application for public assistance by the Louisiana Recovery School District for the Booker T.

Washington High School Slab Demolition and Soil Remediation project. (Case Number FEMA 2014-FEFO-00640.)

- On April 28, 2014, **Steve Horn**, a reporter with **DeSmogBlog** in Vancouver, British Columbia, Canada, requested from the United States Coast Guard (USCG) records pertaining to the March 2014 BP Whiting, Indiana refinery oil spill into Lake Michigan. (Case Number USCG 2014-1741.)
- On April 28, 2014, **Lise Olsen**, a reporter with the *Houston Chronicle* in Houston, Texas, requested from the United States Coast Guard (USCG) a copy of the Vessel Traffic Service incident report for the incident involving the vessels SUMMER WIND and MISS SUSAN on March 22, 2014. (Case Number USCG 2014-1749.)
- On April 28, 2014, **Nicholas Bergin**, a reporter with the *Lincoln Journal Star* in Lincoln, Nebraska, requested from the United States Coast Guard (USCG) a list of reported damage to the existing Keystone pipeline owned by TransCanada, including spills and leaks. (Case Number USCG 2014-1750.)
- On April 29, 2014, **Allie Conti**, a staff writer with the *New Times Broward-Palm Beach* in Hollywood, Florida, requested from the United States Coast Guard (USCG) the report of the seizure of the vessel WISHING STAR/ANDREA ARAS on December 17, 2005, near Palm Beach, Florida. (Case Number USCG 2014-1769.)
- On April 29, 2014, **Hannah Rapple**, a reporter with *NBC News* in New Orleans, Louisiana, requested from U.S. Immigration and Customs Enforcement (ICE) a list of all guns, assets, and other items seized as a result of Operation Community Shield Task Force's operations within the borders of Honduras from fiscal year 2010 through the present. (Case Number ICE 2014FOIA16140.)
- On April 29, 2014, **Ellen Nakashima**, a reporter with *The Washington Post* in Washington, DC, requested records pertaining to guidance regarding the use of domestic imagery gathered by the National Geospatial Intelligence Agency, including Proper Use Memoranda. (Case Number I&A 2014-IAFO-0140.)
- On April 29, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of communications to or from Assistant Commissioner James Tomscheck, Office of Internal Affairs, pertaining to requests for extended security clearances for outgoing Department of Homeland Security (DHS) personnel from January 1, 2013, through May 1, 2013. (Case Number CBP-2014-024247.)
- On April 29, 2014, **Kathleen Kilpatrick**, a reporter with *Al Jazeera America* in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the shooting incident on March 31, 2014, on the Tohono O'odham reservation in Southern Arizona. (Case Number CBP-2014-024371)
- On April 29, 2014, **Jace Larson**, a reporter with *KPRC-TV* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) entry and exit records for the late William James Vahey. (Case Number CBP-2014-024403.)

Late requests

- On April 21, 2014, **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, requested from the United States

Citizenship and Immigration Services (USCIS) records pertaining to statistics reflecting Freedom of Information Act office activities from fiscal year 2012 through the present. (Case Number USCIS COW2014000293.)

- On April 23, 2014, **Amy Taxin**, a reporter with the *Associated Press* in Tustin, California, requested from the United States Citizenship and Immigration Services (USCIS) the following records: (1) a list of all A-3 and G-5 visa holders requesting deferred action from January 1, 2011, through the present; and (2) a copy of civil complaints filed in court that were submitted to USCIS with the aforementioned deferred action requests. (Case Number USCIS COW2014000304.)

III. Freedom of Information Act Releases

- On April 24, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Michael Ravnitzky**, an individual in Silver Spring, Maryland, and **Luke Rosiak**, a journalist with the *Washington Examiner* in Washington, DC, 28 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) Representative Peter King (R-NY); (4) Representative Patrick Meehan (R-PA); (5) Representative Susan Brooks (R-IN); (6) Representative Jeffrey Duncan (R-SC); and (7) Representative Richard Hudson (R-NC). Portions of the releases were withheld pursuant to Freedom of Information Act Exemption 6. (Case Numbers NPPD 2014-NPFO-00148 and NPPD 2014-NPFO-00195.)
- On April 24, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **John Jerman**, an assistant general counsel with the **New York City Transit** in Brooklyn, New York, five pages of investigative records pertaining to former United States Citizenship and Immigration Services (USCIS) employee (b)(6). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-071.)
- On April 24, 2014, the Federal Emergency Management Agency (FEMA) released to **Daniel Rohlif**, a counsel with the **Northwest Environmental Defense Center** in Portland, Oregon, 352 pages of records consisting of correspondence and a draft copy of a biological opinion prepared by the National Marine Fisheries Service on the effects of FEMA's implementation of the National Flood Insurance Program in Oregon. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number FEMA 2014-FEFO-00279.)
- On April 28, 2014, the Federal Emergency Management Agency (FEMA) issued to **Jarrett Renshaw**, a reporter with the *Star-Ledger* in Trenton, New Jersey, a no records determination in response to his request seeking records of correspondence between FEMA officials and the Office of Senator Frank Lautenberg (D-NJ) regarding the State of New Jersey's decision to enter a no-bid debris removal contract with AshBritt, Inc for post Hurricane Sandy clean-up work. (Case Number FEMA 2013-FEFO-00537.)
- On April 29, 2014, the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) issued to **John Greenwald, Jr.**, a reporter with

The Black Vault in Northridge, California, a full denial in response to his request seeking a copy of the Chemical Agent Fact Book. These records were withheld pursuant to Freedom of Information Act Exemptions 3, 6, 7(E), and 7(F). (Case Number S&T 2014-STFO-030.)

- On April 29, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Scott MacFarlane**, a reporter with **NBC4** in Washington, DC, nine pages of investigative records from DHS-OIG investigation I08-TSA-ATL-06124. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-059.)
- On April 30, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Scott MacFarlane**, a reporter with **NBC4** in Washington, DC, 304 pages of records previously released in Freedom of Information Act Case Numbers: 2012-100, 2012-139, 2012-154, and 2012-155. These records were released in full. (Case Number OIG 2014-030.)
- On April 30, 2014, the Federal Emergency Management Agency (FEMA) released to **Lee Zurik**, an anchor and reporter with **Fox 8** in New Orleans, Louisiana, a 2,302 page Excel spreadsheet containing data pertaining to FEMA trailers for Hurricanes Katrina and Rita. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FEMA 2013-FEFO-00089.)
- On April 30, 2014, U.S. Customs and Border Protection (CBP) issued to **Kathleen Kilpatrick**, a reporter with **Al Jazeera America** in Brooklyn, New York, a full denial in response to her request seeking records pertaining to the shooting incident on March 31, 2014, on the Tohono O’odham reservation in Southern Arizona. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-024371.)
- On April 30, 2014, the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) issued to **Matthew Graham**, a representative with the **Bipartisan Policy Center** in Washington, DC, a full denial in response to his request seeking a copy of a report titled “Biometric Air Exit: Analysis, Recommendations, and Next Steps (May 2012).” These records were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number S&T 2014-STFO-034.)

IV. Freedom of Information Act Appeals

- On April 23, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, appealed U.S. Customs and Border Protection’s (CBP) full denial in response to his request seeking the incident report, after-action report, or other summary memorandum from the Predator B crash on January 27, 2014. The requester is contesting CBP’s response to withhold all records pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-AP-2014-023964.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Hu v. Beers et al* (D. Mass. 13-cv-30198), plaintiff filed a Freedom of Information Act request on June 21, 2013, seeking records pertaining to an immigration fraud investigation of Jing Hu. Plaintiff filed suit on November 22, 2013, claiming constructive denial. On April 25, 2014, pursuant to a stipulation of dismissal, U.S. Immigration and Customs Enforcement (ICE) released 30 pages of records from the Office of the Principal Legal Advisor and Homeland Security Investigations.

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 May 1 - 7, 2014

Privacy Office

May 12, 2014

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 May 1, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library the following: (1) Office of Detention Oversight Detention Facility Compliance Inspection Reports for the Caldwell County Detention Center (31 pages), the Freeborn County Adult Detention Center (33 pages), and the Montgomery County Jail (22 pages); and (2) the March 2014 Fiscal Year 2014 Year-to-Date Secure Communities Nationwide Interoperability Statistics (58 pages).
 - On May 1, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Transportation Security Administration (TSA) Fiscal Year 2013 Freedom of Information Act Request Log (20 pages).
 - On May 1, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library two sets of records pertaining to Freedom of Information Act requests received by the DHS Privacy Office in fiscal year 2009 (140 pages).
 - On May 6, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library nine sets of records pertaining to Freedom of Information Act requests received by the DHS Privacy Office in fiscal year 2009 (359 pages).
- II. Freedom of Information Act Requests**
- On May 1, 2014, **Maria Zamudio**, a reporter with *The Chicago Reporter* in Chicago, Illinois, requested from U.S. Customs and Border Protection (CBP) the following information for individuals accused of smuggling illegal aliens in the country and accused of raping women during the trip, from January 1, 2009, through the present: (1) name; (2) age; (3) country of origin; (4) indication of involvement with a criminal organization; (5) location, date, and outcome of arrest; and (6) indication of whether the individual was repatriated to Mexico for prosecution. (Case Number CBP-2014-024721.)
 - On May 1, 2014, **Laurel Andrews**, a reporter with the *Alaska Dispatch* in Anchorage, Alaska, requested from the United States Coast Guard (USCG) records pertaining to the April 8, 2014 denial letter for a named individual. (Case Number USCG 2014-1808.)
 - On May 2, 2014, **David Iaconangelo**, a reporter with the *Latin Times* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the transfer of detainees between ICE detention centers from January 1, 2012, through March 31, 2014. (Case Number ICE 2014FOIA16833.)

- On May 2, 2014, **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, requested from U.S. Immigration and Customs Enforcement (ICE) a listing of requests received by ICE to parole aliens in the U.S. during the past five years. (Case Number ICE 2014FOIA16851.)
- On May 6, 2014, **David Iaconangelo**, a reporter with the *Latin Times* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the transfer of detainees between ICE detention centers from January 1, 2009, through December 31, 2011. (Case Number ICE 2014FOIA7680.)
- On May 6, 2014, **Jack Gillum**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of the contracts, task orders, statements of work, and contract modifications for the following ICE contracts: (1) HSCETC13F00030; (2) HSCETE11F00125; (3) HSCETC13F00010; and (4) HSCEMD11P00040. (Case Number ICE 2014FOIA16395.)
- On May 6, 2014, **Nandi Robinson**, a representative with the **Democratic Congressional Campaign Committee** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records or complaints involving the following businesses: (1) Lally & Misir LLP; (2) Lally & Lally LLP; (3) Museum Source LTD; (4) Irish Lobby for Immigration Reform Inc.; (5) Antietam Inc.; (6) Waterloo Real Estate LLC; (7) Arnhem LLC; and (8) Lally Mahon Rooney PC. (Case Number ICE 2014FOIA16774.)
- On May 6, 2014, **David Iaconangelo**, a reporter with the *Latin Times* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the detention and trial of individuals picked up in New York City, New York. (Case Number ICE 2014FOIA16865.)
- On May 6, 2014, **David Hendricks**, a reporter with *The Monitor* in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) records from the “operational utility evaluation” of aerostats deployed to the U.S. Border Patrol Rio Grande Valley Sector from January 1, 2013, through the present. (Case Number CBP-2014-025378.)
- On May 6, 2014, **David Hendricks**, a reporter with *The Monitor* in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) a copy of reports pertaining to former U.S. Border Patrol agent Esteban Manzanares. (Case Number CBP-2014-025380.)

Late requests

- On April 30, 2014, **Matt Brown**, a correspondent with the *Associated Press* in Billings, Montana, requested from the United States Coast Guard (USCG) records pertaining to an incident on April 30, 2014, involving a train derailment and subsequent fire in Lynchburg, Virginia. (Case Number USCG 2014-1789.)

III. Freedom of Information Act Releases

- On May 2, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Jim McElhatton**, a staff writer with *The Washington Times* in Alexandria, Virginia, five pages of records consisting of

complaint narratives of closed investigations pertaining to misuse of a government computer. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-081.)

- On May 6, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Scott MacFarlane**, a reporter with *NBC4* in Washington, DC, 961 pages of records previously released in Freedom of Information Act Case Numbers 2013-118, 2013-148, and 2013-164. These records were released in full. (Case Number OIG 2014-035.)
- On May 6, 2014, the United States Coast Guard (USCG) released to **Janet McConnaughey**, a journalist with the *Associated Press* in New Orleans, Louisiana, two videos and 266 pages of records consisting of investigation reports, witness statements, medical reviews, e-mails, photographs, enforcements, and charts pertaining to incidents involving vessels owned by Settoon Towing, LLC. These records were released in full. (Case Number USCG 2014-1091.)
- On May 7, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) issued to **Mark Flatten**, a reporter with the *Washington Examiner* in Washington, DC, a no records determination in response to his request seeking records pertaining to investigations on conference overspending. (Case Number OIG 2014-093.)
- On May 7, 2014, the Federal Emergency Management Agency (FEMA) released to **Richard Pollock**, a journalist with the *Washington Examiner* in Washington, DC, 220 pages of records consisting of e-mails between FEMA and Simplifi Business, TL Industries, Recreation by Design, and SRS, Inc. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4 and 6. (Case Number FEMA 2013-FEFO-00381.)
- On May 7, 2014, U.S. Customs and Border Protection (CBP) issued to **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, a full denial in response to his request seeking records pertaining to the shooting of Guillermo Arevalo Pedroza. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-018088.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Georgia Latino Alliance for Human Rights v. Department of Homeland Security* (N.D. Ga. 12-cv-03702), plaintiffs filed a Freedom of Information Act 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 May 2, 2014, ICE released 668 pages of Form I-213 narratives.

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 May 7, 2014, ICE released its third supplemental release of 733 pages of Enforcement and Removal Operations detention facility inspection reports.

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 May 8 - 14, 2014

Privacy Office

May 19, 2014

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 May 8, 2014, **Michael Kunzelman**, a journalist with the *Associated Press* in New Orleans, Louisiana, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to DHS-OIG investigation 13-FPS-SID-00215. (Case Number OIG 2014-112.)
- On May 12, 2014, U.S. Immigration and Customs Enforcement (ICE) referred to the Department of Homeland Security (DHS), Office of Inspector General (OIG) a request from **Meredith Stewart**, a staff attorney with the **Southern Poverty Law Center** in New Orleans, Louisiana, seeking records and complaints pertaining to immigration detainers, from January 1, 2011, through the present. (Case Number OIG 2014-114.)
- On May 12, 2014, **Jason Cherkis**, a reporter with the *Huffington Post* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the occupancy rate for all ICE detention facilities in September 2013, as well as the crime levels for each person detained, and whether or not each person was deported. (Case Number ICE 2014FOIA17183.)
- On May 12, 2014, **Jim Peppard**, a representative with *WTSP/10 News* in Tampa, Florida, requested from the United States Coast Guard (USCG) records pertaining to the rescue of a family of four in Ruskin, Florida on May 6, 2014. (Case Number USCG 2014-1912.)
- On May 13, 2014, **Jennifer Glenfield**, a reporter with *The Islander* in Anna Maria Island, Florida, requested from the United States Coast Guard (USCG) a copy of reports filed on April 18, 2014, and May 3, 2014, pertaining to a sunken vessel in the canal in Holmes Beach, Florida. (Case Number USCG 2014-1913.)
- On May 13, 2014, **Martha Mendoza**, a reporter with the *Associated Press* in Santa Cruz, California, requested from the Transportation Security Administration (TSA) records pertaining to perimeter security breaches at all Category X Airports and the San Jose International Airport from January 1, 2004, through the present. (Case Number TSA 2014-TSFO-00353.)

Late requests

- On May 2, 2014, **Maria Zamudio**, a reporter with *The Chicago Reporter* in Chicago, Illinois, requested from the United States Citizenship and Immigration Services (USCIS) statistics pertaining to T-visa applicants who applied from January 1, 2009, through the present. (Case Number USCIS COW2014000319.)

- On May 6, 2014, **Joel Millman**, a reporter with *The Wall Street Journal* in Portland, Oregon, requested from the United States Citizenship and Immigration Services (USCIS) statistics pertaining to the Application to Register Permanent Residence or Adjust Status (I-485 forms) filed on behalf of natives of Cuba for fiscal years 2008 through 2014. (Case Number USCIS COW2014000324.)
- On May 7, 2014, **Eliot Kleinberg**, a staff writer with *The Palm Beach Post* in West Palm Beach, Florida, requested from the Federal Emergency Management Agency (FEMA) records pertaining to FEMA recouping payments made in Florida following Hurricane Wilma in 2005. (Case Number FEMA 2014-FEFO-00664.)

III. Freedom of Information Act Releases

- On May 13, 2014, U.S. Customs and Border Protection (CBP) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, five pages of records consisting of a Memorandum of Understanding between the Drug Enforcement Administration and CBP regarding the sharing of license plate reader data. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2014-011363.)
- On May 14, 2014, U.S. Customs and Border Protection (CBP) issued to **Michael Evans**, an analyst with **The National Security Archive** in Washington, DC, a full denial in response to his request seeking records pertaining to a shooting involving a U.S. Border Patrol agent on February 18, 2014, near San Diego, California. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-018089.)
- On May 14, 2014, the Federal Emergency Management Agency (FEMA) released to **Colleen O’Dea**, a reporter with the *NJ Spotlight* in High Bridge, New Jersey, 133,215 pages of records consisting of FEMA claims data from the National Emergency Management Information System database on individuals, businesses, governmental agencies, etc., pertaining to Hurricane Sandy (DR-4086 and EM-3354), for the State of New Jersey. These records were released in full. (Case Number FEMA 2013-FEFO-00047.)

IV. Freedom of Information Act Appeals

- On April 3, 2014, **Jeff Elder**, a reporter with *The Wall Street Journal* in San Francisco, California, appealed the United States Coast Guard’s (USCG) non-response to his request seeking records pertaining to the Google Barges BAL0001, BAL0011, BAL0010, and BAL0100. (Case Number USCG A2014-018.)

V. Freedom of Information Act Appeals Releases

- On May 13, 2014, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a staff reporter with the *Center for Investigative Reporting* in Emeryville, California, six pages of records consisting of the significant incident report pertaining to the death of Juan Mendez. Portions of the release were

withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), 7(C), 7(E), and 7(F). (Case Number CBP H213135.)

VI. Litigation

- NSTR

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 May 15 - 21, 2014
Privacy Office
May 27, 2014
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 May 19, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library records pertaining to the Federal Emergency Management Agency (FEMA) Individual and Public Assistance Claims Paid for Flood Disasters from 1998 through 2011 (3,590,972 pages).
- On May 19, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library eight sets of records pertaining to Freedom of Act requests received by the DHS Privacy Office in fiscal year 2009 (357 pages).

II. Freedom of Information Act Requests

- On May 15, 2014, **Stephen Braun**, a reporter with the *Associated Press* in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A) records pertaining to the implementation of Intelligence Community Directive 119. (Case Number I&A 2014-IAFO-0154.)
- On May 15, 2014, **Catherine Rentz**, a reporter with *The Baltimore Sun* in Baltimore, Maryland, requested from the Department of Homeland Security (DHS) the total number of Deferred Action for Childhood Arrivals applicants by county and by country of origin in the State of Maryland who have been accepted and approved to date. (Case Number 2014-HQFO-00508.)
- On May 15, 2014, **Catherine Rentz**, a reporter with *The Baltimore Sun* in Baltimore, Maryland, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to worksite enforcement operations from 1999 through the present. (Case Number ICE 2014FOIA17637.)
- On May 15, 2014, **Richard Belcher**, a reporter with *WSB-TV Channel 2 Action News* in Atlanta, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data pertaining to the criminal convictions of aliens released from ICE custody from 2012 through the present. (Case Number ICE 2014FOIA17810.)
- On May 16, 2014, **Amelia Glymph**, a national representative with the **American Federation of Government Employees** in Riverdale, Georgia, requested from the Transportation Security Administration (TSA) the following records: (1) a copy of complaints pertaining to hostile work environment allegations/reports for three named individuals; and (2) a copy of Equal Employment Office investigations and/or complaints pertaining to two named individuals. (Case Number TSA 2014-TSFO-00361.)

- On May 19, 2014, **Tim Murphy**, a reporter with *Mother Jones* in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the late Farley Mowat, a Canadian citizen and author. (Case Number USCIS COW2014000357.)
- On May 19, 2014, **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to two Freedom of Information Act requests he filed with ICE. (Case Number ICE 2014FOIA17812.)
- On May 20, 2014, **Andrew Medici**, a journalist with the *Federal Times* in Springfield, Virginia, requested from the Department of Homeland Security (DHS) records pertaining to the most recent cost estimates regarding any potential delay of the agency consolidation efforts at the former Saint Elizabeths western hospital campus. (Case Number 2014-HQFO-00520.)
- On May 20, 2014, **Jim Finkle**, a journalist with *Thomson Reuters* in Boston, Massachusetts, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records of correspondence between Industrial Control Systems Cyber Emergency Response Team (ICS-CERT) or United States Computer Emergency Readiness Team (US-CERT) staff and the following individuals : (1) (b)(6) an employee with McAfee and *IoActive*, from June 17, 2011, through September 10, 2013; and (2) (b)(6) (b)(6) an employee with McAfee and Cylance, from June 1, 2011, through January 1, 2014, regarding medical device security. (Case Number NPPD 2014-NPFO-00283.)
- On May 20, 2014, **Greg Gullberg**, a reporter with *WSAV-TV* in Savannah, Georgia, requested from the Transportation Security Administration (TSA) records pertaining to items that have been confiscated over the past five years in the security line and in baggage check at Savannah-Hilton Head International Airport. (Case Number TSA 2014-TSFO-00362.)
- On May 21, 2014, **Adrienne Jeffries**, a reporter with *The Verge*, requested from the Transportation Security Administration (TSA) records pertaining to the request for proposal and contract awarded for the TSA randomizer ipad app that randomly directs people left or right to regular screening or Precheck screening. (Case Number TSA 2014-TSFO-00309.)

Late requests

- On May 1, 2014, **Sean Dunagan**, a researcher with *Judicial Watch* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the reported discovery of four suspected Mexican soldiers in a drug tunnel terminating in Otay Mesa, San Diego, California on April 1, 2014. (Case Number CBP-2014-027545.)
- On May 13, 2014, **Stephen Revilak**, an individual in Arlington, Massachusetts, requested from the Department of Homeland Security (DHS) records pertaining to "Occupy Boston," a protest movement that took place in Boston, Massachusetts from September 1, 2011, through December 31, 2011. (Case Number 2014-HQFO-00513.)

- On May 14, 2014, **Xerxes Wilson**, a staff writer with *The Houma Courier* in Thibodaux, Louisiana, requested from the United States Coast Guard (USCG) a copy of the report of investigation pertaining to a barge striking a pipeline in Bayou Perot, Louisiana resulting in an explosion and fire on March 12, 2013. (Case Number USCG 2014-1924.)
- On May 20, 2014, **Bob McCabe**, a reporter with *The Virginian-Pilot* in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the collision between ZHEN HUA and the APM crane on February 14, 2011. (Case Number USCG 2013-1976.)
- On May 20, 2014, **Laura Strickler**, a reporter with *CBS News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) a copy of videos and photographs taken by U.S. Border Patrol agents in the McAllen, Texas service area pertaining to individuals crossing the border from May 1, 2014, through May 20, 2014. (Case Number CBP-2014-027639.)

III. Freedom of Information Act Releases

- On May 14, 2014, U.S. Customs and Border Protection (CBP) issued to **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, a full denial in response to his request seeking records pertaining to the shooting of Jesus Flores Cruz. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-018089.)
- On May 15, 2014, U.S. Customs and Border Protection (CBP) issued to **Rachael Bale**, a researcher with the *Center for Investigative Reporting* in Emeryville, California, a full denial in response to her request seeking a copy of the Police Executive Research Forum report/study on CBP/Border Patrol use of force policies and practices. These records were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number CBP-2013-030210.)
- On May 15, 2014, U.S. Customs and Border Protection (CBP) issued to **Nate Blakeslee**, a reporter with *Texas Monthly* in Austin, Texas, a full denial in response to his request seeking records pertaining to the shooting of Guillermo Arevalo Pedroza. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-018280.)
- On May 15, 2014, U.S. Customs and Border Protection (CBP) issued to **Maria Zamudio**, a reporter with *The Chicago Reporter* in Chicago, Illinois, a no records determination in response to her request seeking records pertaining to individuals accused of raping women they are smuggling into the United States from 2009 through the present. (Case Number CBP-2014-024721.)
- On May 15, 2014, the United States Secret Service (USSS) released to **Kevin Poulsen**, a news editor with *Wired* in San Francisco, California, nine pages of records pertaining to Aaron Swartz. Portions of the release were withheld pursuant to Privacy Act Exemption j2 and Freedom of Information Act Exemptions 6 and 7(C). (Case Number USSS 20130322.)
- On May 16, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Scott Dance**, a reporter with *The Baltimore Sun* in Baltimore, Maryland, an Excel spreadsheet containing 1,506 pages of data pertaining to approvals of H-1B visas for employment in the State of Maryland in

2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3 and 6. (Case Number USCIS COW2014000145.)

- On May 20, 2014, U.S. Customs and Border Protection (CBP) released to **Yami Virgin**, a reporter with *KABB Fox San Antonio* in San Antonio, Texas, two pages of records consisting of the San Antonio Seizure List for January 1, 2012, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-2014-019580.)
- On May 20, 2014, the United States Coast Guard (USCG) released to **Christina Garza**, a reporter with *Port Isabel South Padre Press* in Port Isabel, Texas, 11 pages of records consisting of a case report and radio logs pertaining to a capsized vessel at the tip of North Jetties, South Padre Island, Texas on July 14, 2013. These records were released in full. (Case Number USCG 2013-2896.)
- On May 20, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, a reporter with *High Country News* in El Paso, Texas, two audio files and 88 pages of records consisting of case reports, drawings, drug test results, statements, radio logs, and e-mails pertaining to a man-overboard incident involving the vessel ALASKA VICTORY on May 25, 2011. These records were released in full. (Case Number USCG 2014-0523.)
- On May 21, 2014, the Department of Homeland Security (DHS) released to **Robert McCarson**, a publisher with *La Voz Independiente* in Asheville, North Carolina, one page of records containing statistical data pertaining to Deferred Action for Childhood Arrivals for the State of North Carolina. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00409.)
- On May 21, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Andrew Becker**, a staff reporter with the *Center for Investigative Reporting* in Emeryville, California, six pages of records consisting of the report of investigation for case number 11-CBP-DRT-00016. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014FOIA14163.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On May 20, 2014, U.S. Customs and Border Protection (CBP) released to **Damien Cave**, a correspondent with *The New York Times* in Mexico City, Mexico, 595 pages of records consisting of complaints filed against CBP personnel along the Southwest border. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-2014-AP-004993.)

VI. Litigation

- In the matter of the *American Civil Liberties Union of Massachusetts v. Department of Justice, et al.* (D. Mass. 12-cv-11776), plaintiff filed a Freedom of Information Act request on July 30, 2012, seeking records regarding the use of

automatic license plate readers. Plaintiff filed suit on September 25, 2012, claiming constructive denial. On May 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 11 pages of records consisting of the Dallas Field Office's license plate reader Statement of Work, a user agreement, and two data quotation records.

- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 May 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 401 pages of records and 32 Excel spreadsheets from the Atlanta, Baltimore, Buffalo, Chicago, and Denver Field Offices.
- In the matter of *Conti v. Department of Homeland Security* (S.D.N.Y. 12-cv-5827), plaintiff, a former U.S. Immigration and Customs Enforcement (ICE) employee, filed a Freedom of Information Act request on April 12, 2011, seeking records pertaining to several investigations initiated based on complaints he made against other employees, as well as records of investigations pertaining to him. Plaintiff appealed ICE's response, and the appeal was granted, with a supplemental search ordered. Plaintiff filed suit on July 30, 2012, claiming constructive denial. On May 16, 2014, ICE made a supplemental release of 1,854 pages of records that had previously been withheld, which relate to a now-concluded investigation into the illegal activities of former Special Agent in Charge New York Group Supervisor Steven Kucan.
- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On May 21, 2014, ICE released the third production of 414 pages of sample Post Order Custody Review 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 Activity for the Week of May 22 - 28, 2014
Privacy Office
June 2, 2014

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 May 27, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library 28 sets of records pertaining to Freedom of Information Act requests received by the DHS Privacy Office in fiscal year 2009 (2,756 pages).
- On May 27, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Privacy Office April 2014 Freedom of Information Act Log (two pages).

II. Freedom of Information Act Requests

- On May 22, 2014, **Timothy Warren**, a representative with *International Trade Today* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of communications to and/or between officials at CBP pertaining to the closure of investigations completed by the Department of Homeland Security (DHS), Office of Inspector General (OIG) from January 1, 2012, through the present. (Case Number CBP-2014-027878.)
- On May 22, 2014, **Dan Krauth**, a reporter with *WTVJ NBC-6* in Miramar, Florida, requested from the Transportation Security Administration (TSA) records pertaining to lost, stolen, and missing items for Fort Lauderdale International Airport and Miami International Airport from January 1, 2012, through the present. (Case Number TSA 2014-TSFO-00369.)
- On May 22, 2014, **Rick Hind**, a legislative director with **Greenpeace** in Washington, DC, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records pertaining to DHS meetings and communications with petro-chemical industry representatives regarding the following: (1) chemical facility safety; (2) security and disaster prevention; (3) inherently safer technologies; and (4) Executive Order 13650, Improving Chemical Facility Safety and Security, from April 17, 2013, through the present. (Case Number NPPD 2014-NPFO-00293.)
- On May 23, 2014, **Steven Emerson**, President with **SAE Productions** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to meetings between personnel from DHS and officials, employees, representatives, or identified operatives of the Muslim American Society from January 1, 2009, through April 25, 2014. (Case Number 2014-HQFO-00524.)
- On May 27, 2014, **Chris Glorioso**, a reporter with *WNBC-TV* in New York, New York, requested from the Federal Emergency Management Agency (FEMA) a copy of all National Flood Insurance Program Repetitive Loss Update Worksheets

for Severe Repetitive Loss Properties in New York, New Jersey, and Connecticut. (Case Number FEMA 2014-FEFO-00692.)

- On May 27, 2014, **Jacqueline Stevens**, a professor with **Northwestern University** in Evanston, Illinois, requested from U.S. Immigration and Customs Enforcement (ICE) records conveyed, described, or shown on or off the record to Ian Urbina or other employees of *The New York Times* pertaining to official or informal policies, data, systems records, and practices for the ICE Detainee Work Program. (Case Number ICE 2014FOIA18379.)

Late requests

- On May 12, 2014, **Justin McCarthy**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between USCIS and the following: (1) the State of California; (2) United States Congress; (3) The National Council of La Raza; (4) The National Immigration Law Center; and (5) The Coalition for Humane Immigrant Rights of Los Angeles, pertaining to California drivers' licenses for undocumented immigrants from January 1, 2013, through the present. (Case Number USCIS COW2014000356.)
- On May 19, 2014, **Julia Angwin**, a reporter with **ProPublica** in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the mental disorder provisions of the Immigration and Naturalization Act, section 212(a). (Case Number USCIS COW2014000360.)

III. Freedom of Information Act Releases

- On May 22, 2014, the Transportation Security Administration (TSA) released to **Daniel Carrillo**, a representative with the **Service Employees International Union Local 1** in Chicago, Illinois, 52 pages of records consisting of investigative reports detailing violations, notices of violation, penalties, and corrective orders at O' Hare International Airport and Midway International Airport. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(C). (Case Number TSA 2013-TSFO-00907.)
- On May 23, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Joe Tanfani**, a reporter with the **Los Angeles Times** and the **Chicago Tribune** in Washington, DC, 545 pages of records consisting of e-mails and letters of correspondence between USCIS and members of Congress pertaining to the EB-5 program. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 5, and 6. (Case Number USCIS COW2013000991.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing 104 data fields of anonymous person-by-person data on all ICE detainers issued in December 2013. These records were released in full. (Case Number ICE 2014FOIA6569.)

- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing 104 data fields of anonymous person-by-person data on all ICE detainers issued in January 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2014FOIA9291.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, two Excel spreadsheets containing 104 data fields of anonymous person-by-person data on all ICE detainers issued in February 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2014FOIA11922.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Benjamin Dooley**, a reporter with *Kyodo News* in Washington, DC, 44 pages of records and two Excel spreadsheets pertaining to the application by Olivet University. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(E). (Case Number ICE 2013FOIA17215.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Amy Isackson**, a reporter with *National Public Radio* in Cardiff, California, one Excel workbook containing data pertaining to the number of convicted criminals and immigration fugitives repatriated to Mexico from fiscal year 2003 through the present. These records were released in full. (Case Number ICE 2013FOIA18574.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Steven Emerson**, President with **SAE Productions** in Washington, DC, 71 pages of records consisting of e-mails and other records pertaining to communications, meetings, and training sessions conducted or coordinated with the Islamic Society of Boston, the Muslim American Society in Boston, or the Islamic Society of Boston Cultural Center. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2013FOIA27917.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Mark Brunswick**, a reporter with the *Star Tribune* in Minneapolis, Minnesota, one Excel spreadsheet containing a list of all aliens from 2008 through the present who, after being convicted of a crime and serving their sentences were designated for removal but were released from Department of Homeland Security (DHS) custody pursuant to *Zadvydas v. Davis*. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA8860.)
- On May 23, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Didi Tang**, a reporter with the *Associated Press* in Beijing, China, two pages of records containing the number of Chinese nationals attending U.S. high schools from 2005 through 2013. These records were released in full. (Case Number ICE 2014FOIA11546.)
- On May 23, 2014, U.S. Customs and Border Protection (CBP) issued to **Martin Finn**, a reporter with *Fox News Channel* in New York, New York, a full denial

in response to his request seeking records pertaining to the investigation of instructors who are suspected of teaching methods for beating polygraph exams. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-014775.)

- On May 23, 2014, U.S. Customs and Border Protection (CBP) released to **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, one page of records containing statistical data pertaining to officers and agents disciplined for violating CBP's use of force policy from January 1, 2010, through December 31, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-2014-018384.)
- On May 23, 2014, U.S. Customs and Border Protection (CBP) released to **David Gotfredson**, a reporter with *KFMB-TV* in San Diego, California, one page of records and one video of James Lee DiMaggio crossing the Pine Valley, California U.S. Border Patrol checkpoint on August 4, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-2014-027956.)
- On May 27, 2014, the Department of Homeland Security (DHS) released to **Kevin Owen**, an attorney with the **Law Offices of Gary M. Gilbert & Associates** in Silver Spring, Maryland, eight pages of records consisting of a policy directive and e-mails pertaining to his client, (b)(6). Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00338.)
- On May 27, 2014, the Department of Homeland Security (DHS) released to **Jesse Franzblau**, a representative with **The National Security Archive** in Washington, DC, four pages of records consisting of guidelines entitled "Procedures and Guidelines for Operations and other Functions for the United States of America-United Mexican States Cross Border Public Security Communications Network along the Common Border." These records were released in full. (Case Number 2014-HQFO-00464.)

IV. Freedom of Information Act Appeals

- On May 21, 2014, **Rachel Bale**, a staff reporter with the *Center for Investigative Reporting* in Emeryville, California, appealed U.S. Customs and Border Protection's (CBP) response to her request seeking a copy of the Police Executive Research Forum report/study on CBP/Border Patrol use of force policies and practices. The requester is contesting the decision to withhold the records in full pursuant to Freedom of Information Act Exemption 5. (Case Number CBP-AP-2014-027908.)
- On May 23, 2014, **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) response to his request seeking records pertaining to officers and agents disciplined for violating CBP's use of force policy from January 1, 2010, through December 31, 2013. The requester is contesting the use of Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-AP-2014-028285.)
- On May 27, 2014, **Sara Mehta**, an attorney with the **American Civil Liberties Union** in New York, New York, appealed U.S. Customs and Border Protection's

(CBP) failure to respond to her request seeking policies and guidance on removal procedures such as expedited removals and voluntary returns. (Case Number CBP-AP-2014-028552.)

- On May 27, 2014, **Sara Mehta**, an attorney with the **American Civil Liberties Union** in New York, New York, appealed U.S. Customs and Border Protection's (CBP) failure to respond to her request seeking statistical information on removal procedures such as expedited removals and voluntary returns. (Case Number CBP-AP-2014-028553.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Georgia Latino Alliance for Human Rights v. Department of Homeland Security* (N.D. Ga. 12-cv-03702), plaintiffs filed a Freedom of Information Act 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 May 23, 2014, ICE released 1,843 pages of detainee transfer records from the Atlanta Field Office.

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 May 29 – June 4, 2014

Privacy Office

June 9, 2014

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 June 2, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library 32 sets of records pertaining to Freedom of Information Act requests received by the DHS Privacy Office in fiscal year 2010 (3,185 pages).

II. Freedom of Information Act Requests

- On May 29, 2014, **Blake Sobczak**, a reporter with *EnergyWire* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to railroad carrier evaluations of the adequacy of their vulnerability assessments and security plans, filed pursuant with Sec. 1511 (6 USC 1161) of the Implementing Recommendations of the 9/11 Commission Act of 2007. (Case Number TSA 2014-TSFO-00390.)
- On May 30, 2014, **Julian March**, a reporter with the *StarNews* in Wilmington, North Carolina, requested from the United States Coast Guard (USCG) records pertaining to an incident on August 5, 1989, involving two missing fishermen from Carolina Beach, North Carolina. (Case Number USCG 2014-2067.)
- On May 30, 2014, **Daryl Huff**, a producer with *Hawaii News Now* in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to examination reports of safety inspections of cruise ships in the Hawaii District since the inception of those inspections in 2014 under Marine Safety Information Bulletin 05-14. (Case Number USCG 2014-2068.)
- On June 1, 2014, **Samira Kanacevic**, a news desk associate with *WBBM-TV Chicago* in Chicago, Illinois, requested from the United States Coast Guard (USCG) records pertaining to 9-1-1 calls from the water rescue at the Street Marina in Chicago on June 1, 2014. (Case Number USCG 2014-2072.)
- On June 1, 2014, **Samira Kanacevic**, a news desk associate with *WBBM-TV Chicago* in Chicago, Illinois, requested from the United States Coast Guard (USCG) records pertaining to 9-1-1 calls from the water rescue off the shore of the Michigan City Lighthouse on May 31, 2014. (Case Number USCG 2014-2073.)
- On June 2, 2014, **Brody Mullins**, a journalist with *The Wall Street Journal*, requested from the Department of Homeland Security (DHS) a copy of Deputy Secretary Alejandro Mayorkas's daily schedule or calendar from 2009 through the present. (Case Number 2014-HQFO-00545.)
- On June 3, 2014, **Michael Kunzelman**, a reporter with the *Associated Press* in New Orleans, Louisiana, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the exhibits attached to DHS-OIG investigation I13-FPS-SID-00215. (Case Number OIG 2014-118.)

- On June 4, 2014, **Mc Nelly Torres**, an investigative producer with **WTVJ-NBC6** in Miramar, Florida, requested from the Transportation Security Administration (TSA) the following records: (1) a listing of incidents at major airports where weapons were confiscated by TSA, including the following information: (a) date; (b) airport name; (c) city and state; (d) type of weapon confiscated; and (e) for firearms, whether or not they were loaded; and (2) the total number of travelers that were documented for 2011 through 2013. (Case Number TSA 2014-TSFO-00393.)
- On June 4, 2014, **Alexa O'Brien**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) a copy of the DHS congressional correspondence logs for 2006 through 2008. (Case Number 2014-HQFO-00551.)
- On June 4, 2014, **Thomas Jones**, an individual in Edgewater, Maryland, requested from the Department of Homeland Security (DHS) and the Federal Law Enforcement Training Centers (FLETC) records of correspondence between these agencies and Congressman Bruce Braley (D-IA) and Congressman Travis Childers (D-MS) pertaining to: (1) policy, legislation, or regulations; (2) recommendations for executive branch positions or appointments; or (3) support or opposition to federal funding for programs, projects, or companies. (Case Numbers 2014-HQFO-00553, FLETC FOIA 14-069, and FLETC FOIA 14-070.)

Late requests

- On May 28, 2014, **John Harper**, a staff writer with the *Houma Courier* in Houma, Louisiana, requested from the United States Coast Guard (USCG) a list of oil, petroleum, and chemical spill reports in Louisiana state or coastal waters from January 1, 2010, through the present. (Case Number USCG 2014-2057.)

III. Freedom of Information Act Releases

- On May 29, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Rachael Bale**, a researcher with the *Center for Investigative Reporting* in Emeryville, California, 11 pages of records consisting of spreadsheets containing complaint narratives of calls to the DHS-OIG hotline, and investigations of sexual assault at U.S. Immigration and Customs Enforcement (ICE) detention facilities, from 2009 through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), 7(C), 7(D), and 7(F). (Case Number OIG 2014-039.)
- On May 29, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Melissa del Bosque**, a reporter with *Texas Observer* in Austin, Texas, 10 pages of records consisting of spreadsheets containing complaint narratives on sexual assault and sexual harassment investigations within U.S. Customs and Border Protection (CBP), the United States Citizenship and Immigration Services (USCIS), and U.S. Immigration and Customs Enforcement (ICE), from 2011 through 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-089.)

- On May 29, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Michael Kunzelman**, a reporter with the *Associated Press* in New Orleans, Louisiana, 10 pages of records consisting of the report of investigation summary for DHS-OIG investigation I13-FPS-SID-00215. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-112.)
- On May 29, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, a reporter with *High Country News* in El Paso, Texas, 30 pages of records consisting of a case report, enforcement activities, and letters pertaining to an incident involving the vessel ALASKA RANGER on January 7, 2002. These records were released in full. (Case Number USCG 2014-0933.)
- On May 29, 2014, the United States Coast Guard (USCG) released to **Matt Jenkins**, a reporter with *High Country News* in El Paso, Texas, six pages of records consisting of an investigation report and an enforcement activity pertaining to the vessel ALASKA WARRIOR. These records were released in full. (Case Number USCG 2014-0978.)
- On May 30, 2014, U.S. Customs and Border Protection (CBP) issued to **Robert Ortega**, a reporter with *The Arizona Republic* in Phoenix, Arizona, a full denial in response to his request seeking investigative reports and other records pertaining to the deaths of the following individuals: (1) Ernest Gutierrez Cortez; (2) Steven Keith; (3) Cruz Marcelino Velasquez; (4) Gabriel Sanchez Velasquez; and (5) Jesus Flores-Cruz. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-018397.)
- On June 2, 2014, the Federal Law Enforcement Training Centers (FLETC) released to **Ryan Luther**, an individual in Washington, DC, 240 pages of records consisting of correspondence between FLETC and Congressman Jack Kingston (R-GA). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number FLETC FOIA 14-038.)
- On June 4, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Laura Wides-Munoz**, a reporter with the *Associated Press* in Miami, Florida, one Excel spreadsheet containing data pertaining to Fraud Detection and National Security investigations of H-1B non-immigrant approved petitions from fiscal years 2011 through 2013. These records were released in full. (Case Number USCIS COW2014000160.)
- On June 4, 2014, the Department of Homeland Security (DHS) issued to **Lynn Jorden**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, a no records determination in response to her request seeking records of correspondence between DHS and Monica Wehby, Monica Wehby-Grant, and/or Monica Wehby-Vogt from January 1, 1990, through the present. (Case Number 2014-HQFO-00289.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Asian Law Caucus v. Department of Homeland Security* (N.D. C.A. 13-cv-1593), plaintiff filed a Freedom of Information Act request on December 21, 2012, seeking internal and external U.S. Immigration and Customs Enforcement (ICE) communications and policies concerning California's TRUST Act. Plaintiff filed suit on April 9, 2013, claiming constructive denial. On May 30, 2014, ICE made its first supplemental release of 316 pages of records and three Excel spreadsheets from the San Francisco Field Office.

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 June 5 - 11, 2014

Privacy Office

June 16, 2014

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 June 5, 2014, the United States Coast Guard (USCG) posted to the USCG Freedom of Information Act Library its Freedom of Information Act Log for the period January 1, 2014, through May 31, 2014 (57 pages).
- On June 11, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG Freedom of Information Act Reading Room additional records from the Department of State pertaining to the removal of a Canadian citizen to Syria (165 pages).

II. Freedom of Information Act Requests

- On June 5, 2014, **Zach Linsey**, a research analyst with the **Democratic Congressional Campaign Committee** in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) a copy of National Flood Insurance Program claims that were denied by the following third party administrators: (1) York Claims Service; (2) York Claims Service, Inc.; (3) York Insurance Company; (4) York Insurance Services Group, Inc.; (5) York Insurance Holdings, Inc.; and (6) York Risk Services from January 1, 1999, through the present. (Case Number FEMA 2014-FEFO-00720.)
- On June 5, 2014, **Jasper Craven**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to drug seizures at Canadian border crossings in Vermont (North Derby, Newport, and North Troy) from January 1, 2012, through the present. (Case Number CBP-2014-024119.)
- On June 5, 2014, **Scott Nicol**, a representative with the **Sierra Club** in McAllen, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the construction of vehicle barriers adjacent to the Tohono O'odham Nation from January 1, 2000, through the present. (Case Number CBP-2014-030101.)
- On June 5, 2014, **Penn Bullock**, a reporter with **Rolling Stone** in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Operation Mayan Jaguar. (Case Number ICE 2014FOIA18575.)
- On June 6, 2014, **Zoe Carpenter**, a reporter with **The Nation** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Criminal Alien Removal Initiative. (Case Number ICE 2014FOIA18574.)
- On June 6, 2014, **Bob Cusack**, a managing editor with **The Hill** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the DHS-OIG Weekly Activity Reports for 2014. (Case Number OIG 2014-119.)

- On June 6, 2014, **John Ferro**, a reporter with the *Poughkeepsie Journal* in Poughkeepsie, New York, requested from the United States Coast Guard (USCG) a copy of the summary of the “Hot Wash” following the New York State Department of Environmental Conservation crude oil spill drill held on November 13, 2013, in New Windsor, New York. (Case Number USCG 2014-2118.)
- On June 6, 2014, **April Havens**, a reporter with *GulfLive* in Pascagoula, Mississippi, requested from the United States Coast Guard (USCG) records pertaining to release reports for Mississippi Phosphates Corporation from January 1, 2014, through the present. (Case Number USCG 2014-2124.)
- On June 8, 2014, **Vance Green**, a researcher with *Seven O’Clock Update* in North Arlington, New Jersey, requested from the United States Coast Guard (USCG) records pertaining to the use of the Warning Area Airspace known as Whiskey 105 on the morning of September 11, 2001. (Case Number USCG 2014-2134.)
- On June 8, 2014, **Mike Faulk**, a reporter with *The Yakima Herald-Republic* in Yakima, Washington, requested from U.S. Customs and Border Protection (CBP) a copy of case files with U.S. Border Patrol for investigations involving six Asian massage parlors in Yakima, Washington and other spas in the State of Washington associated with the owners. (Case Number CBP-2014-030393.)
- On June 9, 2014, **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, requested from U.S. Customs and Border Protection (CBP) the following records pertaining to the television series Border Wars: (1) a copy of any contracts, agreements, or memoranda of understanding by CBP regarding its production; and (2) a copy of e-mails sent or received by CBP leadership and various offices from January 1, 2009, through the present. (Case Number CBP-2014-030632.)
- On June 9, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records created by CBP, Office of Chief Counsel or Department of Homeland Security (DHS), Office of the General Counsel (OGC) that outline the legal authority for CBP to conduct unmanned aircraft systems missions and provide support to other agencies, from January 1, 2005, through January 10, 2014. (Case Number CBP-2014-030727.)
- On June 9, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to illegal air interdictions in border states from fiscal year 2000 through January 31, 2014. (Case Number CBP-2014-030730.)
- On June 9, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) a copy of the report required under Section 501 of the Intelligence Authorization Act for Fiscal Year 2012 pertaining to airspace restrictions for use of unmanned aerial vehicles along the border between the U.S. and Mexico. (Case Number CBP-2014-030741.)
- On June 9, 2014, **Barry Davis**, a reporter with *KENS-5 TV* in San Antonio, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number of illegal/undocumented immigrants caught or turned

over to ICE in the South Texas region for fiscal years 2011 through 2014. (Case Number ICE 2014FOIA18534.)

- On June 9, 2014, **Rebecca Engel**, a representative with the **New York Civil Liberties Union** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number of ICE detainees in segregation units in the State of New York from April 16, 2013, through June 1, 2014. (Case Number ICE 2014FOIA18539.)
- On June 9, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE's policies regarding releasing previously detained aliens at bus stations in the Southwest. (Case Number ICE 2014FOIA18570.)
- On June 9, 2014, **Marci Manley**, a reporter with **KARK-TV** in Little Rock, Arkansas, requested from the Federal Emergency Management Agency (FEMA) a copy of individual assistance claims from the National Emergency Management Information System for Severe Storms, Hurricane and Tornados (DR-4147) in Arkansas from April 27, 2014, through the present. (Case Number FEMA 2014-FEFO-00732.)
- On June 10, 2014, **Jeff Ruch**, an executive director with **Public Employees for Environmental Responsibility** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) records pertaining to DHS's implementation of section 828 of the National Defense Authorization Act of 2013 (codified at 41 U.S.C. section §4712); and (2) records pertaining to whistleblower reprisal complaints made by federal contractor employees. (Case Number OIG 2014-120.)
- On June 10, 2014, **Lise Olsen**, a reporter with the **Houston Chronicle** in Houston, Texas, requested from the United States Coast Guard (USCG) a list of the allisions and collisions in the Houston Ship Channel from January 1, 2009, through the present. (Case Number USCG 2014-2160.)
- On June 11, 2014, **Christine Haas**, a reporter with **Fox 7** in Austin, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to travel and expense reports for ICE agents accompanying minors into the U.S. from January 1, 2014, through the present. (Case Number ICE 2014FOIA18569.)

Late requests

- On May 23, 2014, **Matthew Mosk**, a producer with **ABC News** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between members of Congress and USCIS pertaining to the following applicants for designation as a USCIS Regional Center: (1) the El Monte Regional Center; (2) USA Now; (3) the Alabama Center for Foreign Investment; (4) Gulf Coast Funds Management; (5) the Las Vegas Regional Center; (6) the Orleans Parish Louisiana Targeted Enforcement Area; and (7) the South Dakota Regional Center. (Case Number USCIS NRC2014059882.)
- On May 30, 2014, **Brody Mullins**, a journalist with **The Wall Street Journal** in Washington, DC, requested from the United States Citizenship and Immigration

Services (USCIS) records of correspondence between members of Congress and USCIS pertaining to the EB-5 program from January 1, 2009, through December 31, 2012. (Case Number USCIS COW2014000401.)

- On May 30, 2014, **Brody Mullins**, a journalist with *The Wall Street Journal* in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between USCIS and the office of Bill or Hillary Clinton pertaining to the EB-5 program from January 1, 2009, through the present. (Case Number USCIS COW2014000403.)
- On June 2, 2014, **Angelo Young**, a reporter with the *International Business Times* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) statistical data pertaining to the following: (1) B-1 domestic worker visas; (2) A-3 domestic worker visas; and (3) G-5 domestic worker visas. (Case Number USCIS COW2014000397.)
- On June 3, 2014, **Brody Mullins**, a journalist with *The Wall Street Journal* in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) the names and addresses for the following: (1) projects that were deemed eligible for participation in the EB-5 program; (2) projects that received funding from investments through the EB-5 program; and (3) individuals who received visas through the EB-5 program from January 1, 2009, through the present. (Case Number USCIS COW2014000410.)
- On June 4, 2014, **Jennifer Dale**, a news director with *News Channel 11* in Johnson City, Tennessee, requested from the United States Coast Guard (USCG) a copy of the 2013 National Response Center reports. (Case Number USCG 2014-2100.)

III. Freedom of Information Act Releases

- On June 5, 2014, U.S. Customs and Border Protection (CBP) released to **Douglas Lucas**, a representative with **MuckRock News** in Boston, Massachusetts, five pages of records pertaining to Mexican military or police helicopters entering U.S. airspace from January 1, 2010, through April 30, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-2014-026284.)
- On June 5, 2014, the United States Secret Service (USSS) released to **Kevin Poulsen**, a news editor with *Wired* in San Francisco, California, 562 pages of records pertaining to Aaron Swartz. Portions of the release were withheld pursuant to Privacy Act Exemption j2 and Freedom of Information Act Exemptions 6 and 7(C). (Case Number USSS 20130322.)
- On June 5, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Ryan Kath**, a reporter with *41 Action News* in Kansas City, Missouri, 12 pages of investigative records pertaining to DHS-OIG investigation I11-FPS-CHI-00785. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(D). (Case Number OIG 2014-031.)
- On June 5, 2014, the Transportation Security Administration (TSA) released to **Bart Jansen**, a reporter with *USA Today* in Washington, DC, 384 pages of records consisting of the General Aviation Risk Assessment report and the

General Aviation Aircraft Impact Damage Analysis report. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3 and 6. (Case Number TSA 2013-TSFO-01028.)

- On June 6, 2014, the Transportation Security Administration (TSA) released to **Daniel Blom**, an investigative producer with **WBBM-TV** in Chicago, Illinois, six pages of records consisting of lost or stolen property claims for O'Hare International Airport and Midway International Airport in 2012 and 2013. These records were released in full. (Case Number TSA 2014-TSFO-00294.)
- On June 6, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kelsi Loos**, a reporter with the **Frederick News-Post** in Frederick, Maryland, one Excel spreadsheet containing data for detainees held at the Frederick County Detention Center for the past three years. These records were released in full. (Case Number ICE 2014FOIA09135.)
- On June 6, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) issued to **Meredith Stewart**, a staff attorney with the **Southern Poverty Law Center** in New Orleans, Louisiana, a no records determination in response to her request seeking all records and complaints related to immigration detainees, from January 1, 2011, through the present. (Case Number OIG 2014-114.)
- On June 10, 2014, the United States Coast Guard (USCG) released to **Lynda Clancy**, an editorial director with the **Penobscot Bay Pilot** in Rockport, Maine, 102 pages of records consisting of case reports, witness statements, photographs, enforcements, and letters pertaining to the incident involving the vessel ARCHANGEL on August 7, 2013. These records were released in full. (Case Number USCG 2014-0698.)
- On June 11, 2014, the Department of Homeland Security (DHS) released to **Gretchen Paine**, an attorney with **Perkins Coie, LLP**, on behalf of **BAE Systems, Inc.** and **The O'Gara Group**, in Seattle, Washington, 124 pages of records pertaining to the incident on February 15, 2011, in which Special Agent Jaime Zapata was murdered and Special Agent Victor Avila, Jr. was shot multiple times. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2013-HQFO-00579.)
- On June 11, 2014, the United States Coast Guard (USCG) released to **Leila Fujimori**, a reporter with the **Honolulu Star-Advertiser** in Honolulu, Hawaii, 25 audio files and 132 pages of records consisting of case reports, photographs, witness statements, letters, logs, and inspections pertaining to the death of Kenan Knieriem. These records were released in full. (Case Number USCG 2014-1402.)

IV. Freedom of Information Act Appeals

- On June 4, 2014, **Shawn Musgrave**, a representative with **MuckRuck News** in Boston, Massachusetts, appealed the Department of Homeland Security (DHS), Office of Operations Coordination and Planning's (OPS) response to his request seeking records pertaining to National Operations Center reporting for the April 2013 Boston Marathon bombing. The requester is contesting the decision to

withhold the records in full pursuant to Freedom of Information Act Exemption 7(A). (Case Number 2014-HQAP-00070.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 June 6, 2014, ICE released its fourth supplemental release of 10,194 pages of ICE Office of Enforcement and Removal Operations detention facility inspection reports.
- In the matter of *Georgia Latino Alliance for Human Rights v. Department of Homeland Security* (N.D. Ga. 12-cv-03702), plaintiffs filed a Freedom of Information Act 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 June 6, 2014, ICE released 1,451 pages of records consisting of Form I-213 narratives of people arrested in the Atlanta Field Office's area of responsibility.

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 June 12 - 18, 2014

Privacy Office

June 23, 2014

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 June 12, 2014, **Jill McCabe**, a reporter with *KSAZ Fox 10 News* in Phoenix, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data on the number of undocumented immigrants who were shipped from Texas to Phoenix from May 26, 2014, through June 10, 2014. (Case Number ICE 2014FOIA18671.)
- On June 12, 2014, **Alberto Moya**, a producer with *CBS News* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) the following records pertaining to the U.S. Customs and Border Protection (CBP) facility in Nogales, Arizona: (1) a copy of photos and videos taken by any ICE or CBP officer; and (2) records pertaining to the conditions of the immigrant minors held at the facility from January 1, 2014, through the present. (Case Number ICE 2014FOIA18673.)
- On June 12, 2014, **Thomas Jones**, a reporter with *NBC Universal* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) the following records pertaining to cells one and six at the Campo Border Patrol Station on Forrest Gate Road in Campo, California: (1) a copy of surveillance footage; and (2) records pertaining to the individuals being held in these cells from May 31, 2014, through June 2, 2014. (Case Number CBP-2014-031933.)
- On June 12, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of communication in the CBP Commissioner's office pertaining to the Department of Homeland (DHS)/U.S. Immigration and Customs Enforcement (ICE) policy of releasing detained undocumented immigrants at bus stations in the American Southwest. (Case Number CBP-2014-031954.)
- On June 12, 2014, **Katie LaGrone**, a reporter with *WPTV* in West Palm Beach, Florida, requested from the United States Coast Guard (USCG) a list of licensed Florida boat captains. (Case Number USCG 2014-2177.)
- On June 12, 2014, **J.K. Trotter**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the United States Coast Guard (USCG) a copy of the Official Military Personnel File and the official portrait on file for Bowe Bergdahl. (Case Number USCG 2014-2188.)
- On June 13, 2014, **Jennifer Janisch**, an investigative producer with *CBS News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) photographs or video of the interiors of CBP detention centers housing

Central American unaccompanied alien minors from January 1, 2014, through the present. (Case Number CBP-2014-031947.)

- On June 13, 2014, **Jens Krogstad**, a writer with the **Pew Research Center** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) data for alien children apprehended by CBP at the Southwest border in fiscal years 2013 and 2014. (Case Number CBP-2014-032009.)
- On June 13, 2014, **Christina Cassidy**, a reporter with the *Associated Press* in Atlanta, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) records of correspondence between ICE and Congressman Jack Kingston (R-GA) pertaining to Khalid Satary from September 1, 2013, through the present. (Case Number ICE 2014FOIA18624.)
- On June 13, 2014, **Satinder Singh**, a staff attorney with the **American Civil Liberties Union of Texas** in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) records pertaining to policies regarding the use of detainee labor at detention facilities; and (2) records pertaining to the Joe Corley Detention Facility, including any contracts with the GEO Group. (Case Number ICE 2014FOIA18625.)
- On June 13, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data detailing the number of immigrants apprehended at the Mexican border and released on their own recognizance by ICE since the start of fiscal year 2014. (Case Number ICE 2014FOIA18630.)
- On June 13, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) records of communication between these agencies and non-U.S. third parties pertaining to humanitarian parole and/or the U.S. policy of permitting undocumented women and children to cross into the U.S. on the Southwest border. (Case Numbers CBP-2014-031943 and ICE 2014FOIA18736.)
- On June 13, 2014, **Matthias Gafni**, a reporter with the *Contra Costa Times* in Walnut Creek, California, requested from the United States Coast Guard (USCG) records pertaining to the investigation and court martial of Petty Officer First Class Christopher Molloy. (Case Number USCG 2014-2185.)
- On June 13, 2014, **Meghann Myers**, a staff writer with the *Navy Times* in Springfield, Virginia, requested from the United States Coast Guard (USCG) records pertaining to threats made by an E-4 against his or her commanding officer, executive officer, and command master chief during the first quarter of fiscal year 2014. (Case Number USCG 2014-2189.)
- On June 13, 2014, **Meghann Myers**, a staff writer with the *Navy Times* in Springfield, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the relief of a lieutenant commander as a cutter commanding officer for poor command climate during the first quarter of fiscal year 2014. (Case Number USCG 2014-2190.)
- On June 16, 2014, **Scott MacFarlane**, a reporter with *Cox TV* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of correspondence associated with eight specific workflows in the Department of

Homeland Security (DHS) congressional correspondence log. (Case Number CBP-2014-032150.)

- On June 16, 2014, **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, requested from U.S. Customs and Border Protection (CBP) records sent by CBP Deputy Chief Ronald Vitiello containing the keywords “Unaccompanied Children, UAC, or UACs” from October 1, 2013, through the present. (Case Number CBP-2014-032227.)
- On June 17, 2014, **Laura Strickler**, an investigative producer with *CBS News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) a copy of status reports submitted to or prepared for the commissioner regarding corruption allegations against CBP employees from January 1, 2014, through June 15, 2014. (Case Number CBP-2014-032470.)
- On June 18, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) a copy of reports pertaining to the arrival of undocumented minors in the U.S. from May 1, 2014, through the present. (Case Number CBP-2014-032540.)

Late requests

- On June 2, 2014, **Laura Strickler**, an investigative producer with *CBS News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) a copy of significant incident reports issued out of the McAllen Border Patrol Station for April 2014 and May 2014. (Case Number CBP-2014-029428.)
- On June 10, 2014, **Brody Mullins**, a journalist with *The Wall Street Journal* in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) the names and addresses for projects that received funding from investments through the EB-5 program in the following locations: (1) Los Angeles, California; (2) Southern California; (3) Miami, Florida; and (4) South Florida from January 1, 2009, through the present. (Case Number USCIS COW2014000415.)
- On June 11, 2014, **Matthew Mosk**, a producer with *ABC News* in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between USCIS and members of Congress or the Executive Branch pertaining to the American Logistics International Regional Center from January 1, 2008, through the present. (Case Number USCIS COW2014000413.)
- On June 11, 2014, **Casey Hargroder**, an attorney with **Kebodeaux, Hargroder & Alexander, LLP** in Beaumont, Texas, requested from the United States Coast Guard (USCG) records pertaining to the duties and responsibilities of BP and its contractors during the cleanup project following the BP Deepwater Horizon oil spill on April 20, 2010. (Case Number USCG 2014-2220.)
- On June 11, 2014, **Eric Rasmussen**, a reporter with *KTVU Channel 2 News* in Oakland, California, requested from the Federal Emergency Management Agency (FEMA) a copy of invoices submitted to FEMA via the Emergency Food and Shelter Program, by the sub grantee Emergency Food Bank of Stockton in fiscal years 2011 and 2012. (Case Number FEMA 2014-FEFO-00735.)

- On June 11, 2014, **Cody Winchester**, a journalist with the *Omaha World-Herald* in Omaha, Nebraska, requested from the Federal Emergency Management Agency (FEMA) a copy of the meeting minutes for the Interagency Committee on Dam Safety from January 1, 2005, through the present. (Case Number FEMA 2014-FEFO-00742.)

III. Freedom of Information Act Releases

- On June 11, 2014, the Department of Homeland Security (DHS) released to **Malia Litman**, a blogger in Dallas, Texas, two pages of records consisting of former Secretary Janet Napolitano's resignation letter and resignation Standard Form 50. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00296.)
- On June 12, 2014, the Department of Homeland Security (DHS) released to **Scott Platten**, a researcher with the **CATO Institute** in Washington, DC, 113 pages of records consisting of allocation funding records and correspondence from DHS to members of Congress pertaining to breakdowns of funds given by DHS to individual state and local governments for implementing the licensing/identification provisions of the REAL ID Act of 2005. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00468.)
- On June 12, 2014, U.S. Customs and Border Protection (CBP) issued to **Mike Faulk**, a reporter with *The Yakima Herald-Republic* in Yakima, Washington, a no records determination in response to his request seeking a copy of U.S. Border Patrol investigations involving six Asian massage parlors in Yakima, Washington and other spas in the State of Washington associated with their owners. (Case Number CBP-2014-030393.)
- On June 12, 2014, the United States Coast Guard (USCG) released to **Allison Rumsey**, a representative with **Arnold and Porter, LLP** in Washington, DC, 7,120 pages of records consisting of e-mails, charts, letters, memoranda, and logs pertaining to the Deepwater Horizon oil spill. These records were released in full. (Case Number USCG 2012-2952.)
- On June 13, 2014, the United States Coast Guard (USCG) released to **Lise Olsen**, a reporter with the *Houston Chronicle* in Houston, Texas, 63 pages of records consisting of incident reports pertaining to the Houston Ship Channel from January 1, 2009, through the present. These records were released in full. (Case Number USCG 2014-2160.)
- On June 16, 2014, the Department of Homeland Security (DHS) released to **Alissa Figueroa**, a producer with *Fusion* in Doral, Florida, 48 pages of records pertaining to the United States Coast Guard (USCG) Board for Correction of Military Records. These records were released in full. (Case Number 2014-HQFO-00531.)
- On June 17, 2014, the Department of Homeland Security (DHS) released to **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, 15 pages of records consisting of e-mails pertaining to the search of records for Standard Operating Procedure 303. Portions of the release were withheld

pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(F). (Case Number 2014-HQFO-00137.)

- On June 17, 2014, the Department of Homeland Security (DHS) issued to **Lynn Jorden**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, a no records determination in response to her request seeking records of correspondence between DHS and the following individual and organizations: (1) Mark Everette Harris from January 1, 1990, through the present; (2) First Baptist Church of Charlotte, North Carolina from July 1, 2005, through the present; (3) Curtis Baptist Church of Augusta, Georgia from January 1, 2000, through June 30, 2005; (4) Center Grove Baptist Church of Clemmons, North Carolina from January 1, 1989, through January 1, 2000; and (5) the North Carolina Baptist State Convention from January 1, 2010, through the present. (Case Number 2014-HQFO-00391.)
- On June 17, 2014, U.S. Customs and Border Protection (CBP) issued to **Michel Marizco**, a reporter with **KVOA News 4** in Tucson, Arizona, a full denial in response to his request seeking a copy of the training video produced for the U.S. Border Patrol's El Paso Sector in 2010 for preventing suicides among U.S. Border Patrol agents. These records were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-2014-017891.)
- On June 17, 2014, the Transportation Security Administration (TSA) released to **Nick Turse**, an editor with **The Nation** in Union City, New Jersey, one page of records containing a graph depicting fuel vs. TNT energy. These records were released in full. (Case Number TSA 2014-TSFO-00290.)
- On June 18, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, 1,322 pages of records consisting of statistical reports pertaining to Freedom of Information Act office activities from fiscal year 2012 through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number USCIS COW2014000293.)
- On June 18, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Maria Zamudio**, a reporter with **The Chicago Reporter** in Chicago, Illinois, one Excel spreadsheet containing 65 pages of statistics pertaining to T-visa applicants who applied from January 1, 2009, through the present. These records were released in full. (Case Number USCIS COW2014000319.)
- On June 18, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Todd Toral**, an attorney with **DLA Piper LLP** in San Francisco, California, on behalf of **Human Rights Watch**, 27 pages of records consisting of the DHS OIG Whistleblower Policy and complaint narratives pertaining to complaints of military sexual assaults and/or military whistleblower reprisals against the United States Coast Guard (USCG), from 2004 through 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(A), and 7(C). (Case Number OIG 2014-057.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On June 17, 2014, U.S. Customs and Border Protection (CBP) released to **Brian Bennett**, a reporter with the *Los Angeles Times* in Washington, DC, one page of records containing statistics pertaining to discipline imposed for use of force violations from January 1, 2010, through December 31, 2013. These records were released in full. (Case Number CBP-AP-2014-028285.)

VI. Litigation

- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 June 13, 2014, U.S. Immigration and Customs Enforcement (ICE) released 542 pages of records and 51 Excel spreadsheets from the Detroit, El Paso, and Houston Field Offices.
- In the matter of *Gahagan v. Department of Justice, et al.* (E.D. La. 13-cv-05526), plaintiff filed a Freedom of Information Act request on June 26, 2013, seeking records pertaining to a Louisiana Bar disciplinary complaint made against him by a Department of Justice employee, which arose from his representation of an alien in immigration proceedings. On June 17, 2014, the Assistant United States Attorney released five pages of U.S. Immigration and Customs Enforcement (ICE) records from the ICE Ethics Office.

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 June 19 - 25, 2014

Privacy Office

June 30, 2014

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 June 25, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG Freedom of Information Act Reading Room the main Report of Investigation I12-USSS-OSI-00876 (10 pages)

II. Freedom of Information Act Requests

- On June 19, 2014, **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, requested from U.S. Customs and Border Protection (CBP) statistics pertaining to criminal incidents at facilities being used to house unaccompanied children. (Case Number CBP-2014-032760.)
- On June 19, 2014, **Gabriel Schivone**, a blogger with the *Huffington Post* in Tucson, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to contracts for equipment services with Motorola. (Case Number ICE 2014FOIA18749.)
- On June 19, 2014, **William Sommer IV**, a representative with the *Washington City Paper* in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) records pertaining to a nuclear, biological, or chemical attack on Washington, DC and the DC area. (Case Number FEMA 2014-FEFO-00770.)
- On June 20, 2014, **Becky Hayat**, an attorney with the **Natural Resources Defense Council, Inc.** in Santa Monica, California, requested from the Federal Emergency Management Agency (FEMA) records pertaining to FEMA's National Flood Insurance Program's Community Assistance Program-State Support Service Element Agreements between FEMA and the following states: (1) New Jersey; (2) Missouri; (3) New York; (4) Texas; (5) Florida; (6) California; (7) North Carolina; and (8) Pennsylvania from 2009 through 2013. (Case Number FEMA 2014-FEFO-00775.)
- On June 20, 2014, **Timothy Warren**, a representative with *International Trade Today* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to e-Allegations from June 1, 2008, through the present. (Case Number CBP-2014-033350.)
- On June 20, 2014, **Taryn Luna**, a reporter with the *Boston Globe* in Boston, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to three incidents at Logan International Airport in which TSA employees detected guns on travelers or in their carry-on luggage at the security screening line on March 5, 2014, May 13, 2014, and May 20, 2014. (Case Number TSA 2014-TSFO-00413.)
- On June 20, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Federal Law Enforcement Training

Centers (FLETC) records pertaining to Project VP-030-05 titled “ABC’s of Surveillance.” (Case Number FLETC FOIA 14-072.)

- On June 23, 2014, **Theodore Hesson**, a reporter with *Fusion* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to unaccompanied children apprehended by the U.S. Border Patrol from October 1, 2013, through the present. (Case Number CBP-2014-033821.)
- On June 23, 2014, **Jens Krogstad**, a writer and editor with the **Pew Research Center** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the following records pertaining to unaccompanied alien children: (1) the number projected to be apprehended in fiscal year 2014; (2) the number apprehended at the U.S.-Mexico border in fiscal year 2014; and (3) a copy of an internal draft Department of Homeland Security (DHS) record containing an estimate of 90,000 apprehensions in fiscal year 2014. (Case Number CBP-2014-033825.)
- On June 23, 2014, **Jens Krogstad**, a writer and editor with the **Pew Research Center** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the place of origin of every unaccompanied alien child apprehended by the U.S. Border Patrol in fiscal year 2014. (Case Number CBP-2014-033826.)
- On June 23, 2014, **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, requested from the Department of Homeland Security (DHS) and the Transportation Security Administration (TSA) records pertaining to the congressional questions for the record from January 1, 2014, through June 19, 2014. (Case Numbers 2014-HQFO-00579 and TSA 2014-TSFO-00417.)
- On June 23, 2014, **Rebecca Sawyer**, a representative with *The Washington Times* in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) a list of the political appointees who were involved in funding the Kinder Morgan Liquids Terminals LLC grants from 2005 through 2009. (Case Number FEMA 2014-FEFO-00780.)
- On June 23, 2014, **John Christoffersen**, a journalist with the *Associated Press* in New Haven, Connecticut, requested from the United States Coast Guard (USCG) records pertaining to the number of safety zones established per year in each of the last five years in the USCG New York Sector. (Case Number USCG 2014-2270.)
- On June 24, 2014, **Miraisy Rodriguez**, a reporter with *Univision Communications Inc.* in Miami, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to contracts between ICE and GEO Group, Inc. for services provided to the detainees at the Broward Transitional Center. (Case Number ICE 2014FOIA18773.)
- On June 24, 2014, **Douglas Lucas**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Mexican police or the Mexican military conducting operations in Texas, Nevada, or New Mexico from January 1, 2010, through the present. (Case Number CBP-2014-033874.)
- On June 25, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection

(CBP) records pertaining to the February 18, 2014 shooting of Jesus Flores Cruz. (Case Number CBP-2014-033926.)

- On June 25, 2014, **Andy Medici**, a journalist with the *Federal Times*, requested from the Department of Homeland Security (DHS) a log of the congressional questions for the record from October 1, 2013, through the present. (Case Number 2014-HQFO-00584.)
- On June 25, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to how to respond to media questions regarding the number of notices to appear issued to immigrants from countries other than Mexico caught crossing the Mexican border illegally. (Case Number 2014-HQFO-00587.)
- On June 25, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the meeting between President Barack Obama, Mexican President Enrique Pena Nieto, and Canadian Prime Minister Stephen Harper in Mexico on February 19, 2014. (Case Number 2014-HQFO-00588.)
- On June 25, 2014, **Josh Margolin**, a reporter with *ABC News* in New York, New York, requested from the Department of Homeland Security (DHS) records pertaining to the review of events and responses associated with the April 2013 Boston Marathon Bombing and subsequent manhunt. (Case Number 2014-HQFO-00589.)

Late requests

- On June 18, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the apprehension, processing, and detention of unaccompanied minor Mexican and Central American migrants by U.S. immigration officials in June 2014. (Case Number 2014-HQFO-00586.)

III. Freedom of Information Act Releases

- On June 19, 2014, the Department of Homeland Security (DHS) released to **Josh Margolin**, a reporter with *ABC News* in New York, New York, 220 pages of records consisting of e-mails pertaining to the October 2010 attempt to transport explosive devices via the United Parcel Service and Federal Express. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3, 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2013-HQFO-00004.)
- On June 23, 2014, the United States Coast Guard (USCG) released to **Jim Hoffer**, a journalist with *WABC-TV* in New York, New York, 196 pages of records consisting of case reports and inspections pertaining to Staten Island ferry vessels. These records were released in full. (Case Number USCG 2014-1594.)
- On June 23, 2014, the Federal Law Enforcement Training Centers (FLETC) released to **Thomas Jones**, an individual in Edgewater, Maryland, 14 pages of records consisting of correspondence between FLETC and Congressman Bruce Braley (D-IA). Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FLETC FOIA 14-069.)

- On June 23, 2014, the Federal Law Enforcement Training Centers (FLETC) issued to **Thomas Jones**, an individual in Edgewater, Maryland, a no records determination in response to his request seeking records of correspondence between FLETC and Congressman Travis Childers (D-MS). (Case Number FLETC FOIA 14-070.)
- On June 25, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Rachel Weaver**, Republican Staff Director with the **U.S. Senate Homeland Security and Governmental Affairs Committee, Subcommittee on Financial and Contracting Oversight** in Washington, DC; **Jana Winter**, a reporter with *Fox News* in New York, New York; and **Jake Tapper**, an anchor with *Cable News Network*, 10 pages of records consisting of the main Report of Investigation I12-USSS-OSI-00876. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), and 7(C). (Case Numbers OIG 2013-144, OIG 2013-148, and OIG 2013-153.)
- On June 25, 2014, U.S. Customs and Border Protection (CBP) issued to **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, a full denial in response to his request seeking records pertaining to the February 18, 2014 shooting of Jesus Flores Cruz. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-033926.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On June 25, 2014, U.S. Customs and Border Protection (CBP) released to **Damien Cave**, a correspondent with *The New York Times* in Mexico City, Mexico, 365 pages of records consisting of summary data for complaints filed against CBP personnel along the Southwest border. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-AP-2014-004993.)

VI. Litigation

- NSTR

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 June 26 – July 2, 2014

Privacy Office

July 7, 2014

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 July 2, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Privacy Office May 2014 Freedom of Information Act Log (seven pages).
- On July 2, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Federal Emergency Management Agency (FEMA) Fiscal Year 2012 Freedom of Information Act Logs (66 pages).
- On July 2, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Federal Emergency Management Agency (FEMA) Fiscal Year 2013 Freedom of Information Act Logs (108 pages).
- On July 2, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG Freedom of Information Act Reading Room the Freedom of Information Act Logs for the Second Quarter of Calendar Year 2014 (two pages).
- On July 2, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG Freedom of Information Act Reading Room the Congressional Correspondence Logs for the Second Quarter of Calendar Year 2014 (one page).

II. Freedom of Information Act Requests

- On June 26, 2014, **Michael Scott**, a reporter with *KRGV* in Weslaco, Texas, requested from U.S. Customs and Border Protection (CBP) the number and type of assaults on Border Patrol agents in the Rio Grande Sector from March 1, 2014, through June 26, 2014. (Case Number CBP-2014-034505.)
- On June 27, 2014, **Kevin Diaz**, a reporter with the *Houston Chronicle* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to initial CBP detainee interviews with unaccompanied children and others who have crossed the Southwest border illegally since October 1, 2013, including data regarding the number of individuals making “fear” claims and/or seeking asylum. (Case Number CBP-2014-034835.)
- On June 27, 2014, **Taylor Hill**, a reporter with the *Orange County Register* in Santa Ana, California, requested from the United States Coast Guard (USCG) a copy of an audio file or video of the USCG Southern California Listening Session on the Future of Navigation on June 17, 2014, in Long Beach, California. (Case Number USCG 2014-2332.)
- On July 1, 2014, **Molly Glasgow**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Immigration and Customs

Enforcement (ICE) records pertaining to the arrest, extradition, and charges against Daniel “El Loco” Barrera Barrera, including any involvement with Colombian paramilitary organizations. (Case Number ICE 2014FOIA01830.)

Late requests

- On April 17, 2014, **Jeremy Schwartz**, a reporter with the *Austin American-Statesman* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) the number of I-44 forms filed by year from 2005 through 2013 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-2014-022521.)
- On April 28, 2014, **Maria Sacchetti**, a reporter with *The Boston Globe* in Boston, Massachusetts, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the Alien File for the late Zeituni Onyango. (Case Number USCIS COW2014000439.)
- On June 25, 2014, **Jason Leopold**, a reporter with **Truthout** in Beverly Hills, California, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to the Guantanamo Transfer Working Group; and (2) records pertaining to the health, conditions of detainment, activities, release, transfer, repatriation, resettlement, or relocation of any prisoner or detainee or other person subject to detainment in the U.S. military detention facility at Guantanamo from Guantanamo to any other location, from January 22, 2009, through the present. (Case Number 2014-HQFO-00593.)
- On June 25, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Biometric Identification Transnational Migration Alert Program in Mexico from 2010 through the present. (Case Number CBP-2014-034160.)
- On June 25, 2014, **Steven Hsieh**, a journalist with *The Nation* in Brooklyn, Missouri, requested from U.S. Customs and Border Protection (CBP) records pertaining to a complaint filed by five immigrant rights groups accusing CBP officials of widespread child abuse. (Case Number CBP-2014-034254.)
- On June 25, 2014, **Robert O’Harrow Jr.**, a reporter with *The Washington Post* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to funding by the Department of Homeland Security (DHS) and communication between government officials and Desert Snow regarding Black Asphalt. (Case Number CBP-2014-034369.)
- On June 25, 2014, **Mark Schleifstein**, a reporter with *The Times-Picayune* in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to reports of incidents within a 20 mile radius of an area four miles east and 10 miles offshore of Timbalier Island. (Case Number USCG 2014-2309.)

III. Freedom of Information Act Releases

- On June 27, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Dustin Slaughter**, a representative with **Muckrock News** in Boston, Massachusetts, 60 pages of records consisting of contracts between ICE and Vigilant Solutions regarding the National Vehicle Location Service and Vigilant's LEARN License Plate Recognition Enterprise Intelligence Platform. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(C). (Case Number ICE 2014FOIA11926.)
- On June 27, 2014, the Transportation Security Administration (TSA) released to **Luke Rosiak**, a reporter with *The Washington Times* in Washington, DC, one Excel spreadsheet pertaining to complaints lodged from January 1, 2007, through June 1, 2012. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number TSA 2013-TSFO-01194.)
- On June 30, 2014, the Department of Homeland Security (DHS) released to **Andy Medici**, a journalist with the *Federal Times*, 27 pages of records consisting of a log of the congressional questions for the record from October 1, 2013, through June 26, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00584.)
- On June 30, 2014, the Federal Emergency Management Agency (FEMA) released to **Jennifer Janisch**, a producer with *CBS News* in New York, New York, one compact disc containing aggregate data pertaining to individual assistance claims data for Hurricane Sandy for the Individual and Household programs for the States of New York and New Jersey. These records were released in full. (Case Number FEMA 2013-FEFO-00078.)
- On July 1, 2014, U.S. Customs and Border Protection (CBP) issued to **Steven Hsieh**, a journalist with *The Nation* in Brooklyn, Missouri, a full denial in response to his request seeking records pertaining to a complaint filed by five immigrant rights groups accusing CBP officials of widespread child abuse. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-034254.)
- On July 2, 2014, the Department of Homeland Security (DHS) released to **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, 13 pages of records consisting of a log of the congressional questions for the record from January 1, 2014, through June 19, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00579.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Asian Law Caucus v. Department of Homeland Security* (N.D. C.A. 13-cv-1593), plaintiff filed a Freedom of Information Act request on December 21, 2012, seeking internal and external U.S. Immigration and Customs Enforcement (ICE) communications and policies concerning California's TRUST

Act. Plaintiff filed suit on April 9, 2013, claiming constructive denial. On June 30, 2014, ICE released its second supplemental release of 238 pages of records and 140 Excel spreadsheets from the Los Angeles Field Office.

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 July 3 - 9, 2014

Privacy Office

July 14, 2014

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 July 3, 2014, **Kathy Curran**, a reporter with *WCVB-TV Boston* in Boston, Massachusetts, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the number of complaints filed against the Boston Homeland Security Investigations/U.S. Immigration and Customs Enforcement (ICE) office and/or a named third party, in the last two years. (Case Number OIG 2014-138.)
- On July 3, 2014, **Kenton Powell**, a reporter with *The Guardian* in New York, New York, requested from U.S. Customs and Border Protection (CBP) a georeferenced map of Border Patrol sectors in the U.S. and active Border Patrol checkpoints including port of entry inland locations with location latitudes and longitudes. (Case Number CBP-2014-035280.)
- On July 3, 2014, **Patricia Alulema**, a representative with *CBS News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to complaints against CBP regarding the following: (1) deaths of undocumented immigrants; and (2) undocumented immigrants alleging sexual abuse and mistreatment in 2012 through the present. (Case Number CBP-2014-035428.)
- On July 3, 2014, **Mitra Ebadolahi**, an attorney with the **American Civil Liberties Union** in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to “roving patrol” operations in the San Diego Sector and El Centro Sector, including field operations involving roving vehicle or pedestrian stops by Border Patrol agents. (Case Number CBP-2014-035512.)
- On July 3, 2014, **Steven Hsieh**, a blogger with *The Nation* in Town and Country, Missouri, requested from U.S. Customs and Border Protection (CBP) records pertaining to training distributed or presented to U.S. Border Patrol staff to prepare for the surge of unaccompanied child migrants crossing the Southwest border from Central America in the late spring and summer of 2014. (Case Number CBP-2014-035545.)
- On July 7, 2014, **Adrienne LaFrance**, an editor with *The Atlantic* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) and the United States Coast Guard (USCG) a list of research projects and/or experiments these agencies conducted, funded, or are affiliated with involving Facebook, Twitter, and any other social networking services from January 1,

2008, through the present. (Case Numbers CBP-2014-035702 and USCG 2014-2383.)

- On July 7, 2014, **Penny Starr**, a staff writer with *CNS News* in Reston, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to apprehensions inside the U.S. of Other Than Mexicans for fiscal year 2013, including: (1) Book In Date; (2) Book Out Date; (3) Case Status; (4) Case Category; (5) Gender; and (6) Citizenship Country. (Case Number CBP-2014-035718.)
- On July 7, 2014, **Kate Bailey**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) records pertaining to the expenditure of U.S. Government funds to provide security and/or other services to Valerie Jarrett, Senior Advisor to the President, on any international trips from January 1, 2009, through the present. (Case Number USSS 20140788.)
- On July 7, 2014, **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 any other services to First Lady Michelle Obama, Malia Obama, Sasha Obama, and any companions on their March 2014 trip to China. (Case Number USSS 20140789.)
- On July 7, 2014, **Jilda Unruh**, an investigative producer with *WFOR-TV* in Doral, Florida, requested from the United States Coast Guard (USCG) records pertaining to the USCG's response to the multi-boat accident on July 4, 2014, in Miami, Florida near Dinner Key Marina. (Case Number USCG 2014-2389.)
- On July 7, 2014, **Kathryn Watson**, a reporter with **Watchdog** in Alexandria, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to the automatic license plate reader equipment. (Case Number TSA 2014-TSFO-00436.)
- On July 8, 2014, **Vivian Hughbanks**, a representative with *The Hill* in Washington, DC, requested from the Transportation Security Administration (TSA) and the United States Coast Guard (USCG) records pertaining to the congressional questions for the record from January 1, 2014, through the present. (Case Numbers TSA 2014-TSFO-00443 and USCG 2014-2382.)
- On July 8, 2014, **John Templon**, a journalist with **BuzzFeed** in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to the usage of body scanners and the number of pat downs in TSA airport security checkpoints. (Case Number TSA 2014-TSFO-00446.)
- On July 8, 2014, **Clayton Hanson**, a writer and editor with *Congressional Quarterly* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of correspondence between CBP Commissioner Gil Kerlikowske or Acting Deputy Commissioner Kevin McAleenan and the Office of State, Local and Tribal Liaison pertaining to the unaccompanied migrant children along the southern border of the United States from January 1, 2012, through July 1, 2014. (Case Number CBP-2014-035968.)

Late requests

- On February 4, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to use of force incidents reviewed by the “Incident Review Committee” of the CBP Use of Force Policy Division from 2006 through the present. (Case Number CBP-2014-012185.)
- On May 21, 2014, **Yezmin Thomas**, a journalist with **Telemundo Dallas** in Fort Worth, Texas, requested from the United States Citizenship and Immigration Services (USCIS) records of statistics pertaining to Deferred Action for Childhood Arrivals applications denied in the State of Texas from January 1, 2012, through the present. (Case Number USCIS COW2014000423.)
- On July 2, 2014, **Scott MacFarlane**, a reporter with **NBC 4** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the congressional questions for the record associated with the following workflow numbers: (1) 1004798; (2) 1008985; (3) 1009479; (4) 1014044; (5) 1021287; and (6) 1022143. (Case Number 2014-HQFO-00613.)

III. Freedom of Information Act Releases

- On July 9, 2014, the Transportation Security Administration (TSA) issued to **Blake Sobczak**, a reporter with **EnergyWire** in Union City, New Jersey, a no records determination in response to his request seeking records pertaining to railroad carrier evaluations of the adequacy of their vulnerability assessments and security plans, filed pursuant with Sec. 1511 (6 USC 1161) of the Implementing Recommendations of the 9/11 Commission Act of 2007. (Case Number TSA 2014-TSFO-00390.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- NSTR

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 July 10 - 16, 2014

Privacy Office

July 21, 2014

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 July 10, 2014, **Chris Halsne**, a reporter with *KDVR-TV* in Denver, Colorado, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records pertaining to an arrest of a named individual by the Federal Protective Service, on March 6, 2014, at a federal building in Denver. (Case Number NPPD 2014-NPFO-00358.)
- On July 10, 2014, **Timothy Warren**, a reporter with *International Trade Today* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to conflict of interest waivers prepared by the Designated Federal Officer from January 1, 2013, through the present. (Case Number CBP-2014-036359.)
- On July 11, 2014, **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 any other services to President Obama and any companions on their July 2014 trip to Denver, Colorado. (Case Number USSS 20140803.)
- On July 11, 2014, **Cynthia Wise**, a senior assignments editor with *KING5 News* in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to the late Steven Allen Dailey. (Case Number USCG 2014-2457.)
- On July 13, 2014, **Ulysses Arn**, a reporter with **USofArn.com** in Ottawa, Illinois requested from U.S. Customs and Border Protection (CBP) statistical data pertaining to the number of unaccompanied minors and adult illegal immigrants apprehended by the U.S. Border Patrol near the southern border who were sent to the State of Illinois. (Case Number CBP-2014-036586.)
- On July 14, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) a copy of a DHS-OIG report pertaining to a “hands off list” purportedly maintained by DHS, U.S. Immigration and Customs Enforcement (ICE), and/or U.S. Customs and Border Protection (CBP) used to allow individuals into the U.S. who had previously been denied entry; and (2) records of communication to and from former DHS Deputy Inspector General Charles Edwards regarding the above report, from May 31, 2013, through May 31, 2014. (Case Number OIG 2014-143.)
- On July 14, 2014, **Cyrus Farivar**, an editor with *ARS Technica* in Oakland, California, requested from the Transportation Security Administration (TSA)

records pertaining to the facial recognition program from January 1, 2004, through the present. (Case Number TSA 2014-TSFO-00456.)

- On July 14, 2014, **Michael Morisey**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to the Correspondence Control Management System database or complaints filed from January 1, 2014, through the present. (Case Number TSA 2014-TSFO-00457.)
- On July 15, 2014, **Patrick Terpstra**, a news producer with **Cox Media Group** in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to complaints sent to TSA by passengers at Orlando International Airport from January 1, 2014, through the present. (Case Number TSA 2014-TSFO-00460.)
- On July 15, 2014, **Timothy Warren**, a reporter with **International Trade Today** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to talking points on the computers assigned to Maria Luisa O'Connell or Maria Luisa Boyce or any other person directly or indirectly working for her from November 1, 2010, through the present. (Case Number CBP-2014-036882.)
- On July 16, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the first meeting of the Executive Repatriation Policy Steering Group. (Case Number 2014-HQFO-00630.)
- On July 16, 2014, **Bill Bowen**, a reporter with **ICIS Americas** in Houston, Texas, requested from the United States Coast Guard (USCG) data pertaining to hydrochloric acid spills and accidents from 2008 through 2013. (Case Number USCG 2014-2494.)

Late requests

- On July 25, 2013, **Laura Kayser**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the launch of the Predator drone program within the Office of Air and Marine. (Case Number CBP-2013-024419.)
- On September 23, 2013, **Buti Kale**, Deputy Regional Representative with the **United Nations High Commissioner for Refugees** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) statistical data pertaining to the total annual number of unaccompanied children, and the number of adults from El Salvador, Guatemala, Honduras, and Mexico apprehended by the U.S. Border Patrol for the past 10 years along with any processing changes regarding unaccompanied children. (Case Number CBP-2013-040867.)
- On July 5, 2014, **Paul Sutliff**, a reporter with **Brenner Brief News** in Rochester, New York, requested from U.S. Customs and Border Protection (CBP) statistical data pertaining to detentions of those who were not Canadian who crossed the northern border from 2004 through 2013. (Case Number CBP-2014-035665.)

III. Freedom of Information Act Releases

- On July 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Cristina Costantini**, a reporter with *Fusion* in New York, New York, one Excel spreadsheet containing statistical data on the number of pregnant women detained in the Eloy Detention Center in Arizona in 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA08653.)
- On July 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Cristina Costantini**, a reporter with *Fusion* in New York, New York, five Excel spreadsheets and two pages of records containing statistical data on the number of pregnant women detained by ICE in 2013 in all 250 plus facilities. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA08665.)
- On July 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Cristina Costantini**, a reporter with *Fusion* in New York, New York, one Excel spreadsheet containing statistical data on the number of pregnant women detained in the San Diego Contract Detention Facility from 2012 through 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA09283.)
- On July 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Cristina Costantini**, a reporter with *Fusion* in New York, New York, three Excel spreadsheets and two pages of records containing statistical data on the number of pregnant women detained by ICE at the following detention facilities from 2012 through 2014: (1) Eloy Detention Center; (2) Houston Processing Center; (3) Jena/LaSalle Detention Facility; (4) Northwest Detention Center; and (5) El Paso Detention Center. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA09537.)
- On July 10, 2014, the United States Coast Guard (USCG) released to **Veronica Macias**, a reporter with *WCBD-TV* in Mount Pleasant, South Carolina, 899 pages of records consisting of hearing transcripts pertaining to the trial of United States v. Petty Officer 2nd Class Omar Gomez. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 7(E). (Case Number USCG 2014-0665.)
- On July 10, 2014, the United States Coast Guard (USCG) released to **Samira Kanacevic**, a news desk associate with *WBBM-TV Chicago* in Chicago, Illinois, 15 audio files pertaining to the water rescue on June 1, 2014, from 31st Street Marina in Chicago. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number USCG 2014-2072.)
- On July 10, 2014, the United States Coast Guard (USCG) released to **Samira Kanacevic**, a news desk associate with *WBBM-TV Chicago* in Chicago, Illinois, 53 audio files pertaining to the water rescue on May 31, 2014, off the shore of the Michigan City Lighthouse. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number USCG 2014-2073.)
- On July 11, 2014, U.S. Customs and Border Protection (CBP) released to **Kenton Powell**, a reporter with *The Guardian* in New York, New York, two pages of records consisting of georeferenced maps of the Border Patrol sectors and

locations for the permanent Border Patrol checkpoints. These records were released in full. (Case Number CBP-2014-035280.)

- On July 14, 2014, the United States Coast Guard (USCG) released to **Lena Groeger**, a journalist with **ProPublica** in New York, New York, one Excel spreadsheet pertaining to inspected passenger cruise ships with deficiencies, along with resolutions. These records were released in full. (Case Number USCG 2014-1452.)
- On July 14, 2014, the Department of Homeland Security (DHS) released to **Geoff Embler**, an individual in Arlington, Virginia, 14 pages of records consisting of a log of correspondence between personnel in the Office of the Secretary and former New Mexico Governor Bill Richardson (D-NM). Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00478.)
- On July 15, 2014, the Department of Homeland Security (DHS) issued to **Audrey Singer**, a senior fellow with the **Brookings Institution** in Washington, DC, a full denial in response to her request seeking statistical data pertaining to the Deferred Action for Childhood Arrivals program. These records were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00399.)
- On July 15, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Maria Sacchetti**, a reporter with **The Boston Globe** in Boston, Massachusetts, 1,123 pages of records consisting of the Alien File for the late Zeituni Onyango. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2014000439.)
- On July 16, 2014, the Department of Homeland Security (DHS) released to **Robert Deasy**, a director with the **American Immigration Lawyers Association** in Washington, DC, 17 pages of records consisting of e-mails pertaining to the United States Citizenship and Immigration Services (USCIS) advanced parole policies. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number 2014-HQFO-00152.)
- On July 16, 2014, the Department of Homeland Security (DHS) issued to **Catherine Rentz**, a reporter with **The Baltimore Sun** in Baltimore, Maryland, a full denial in response to her request seeking the total number of Deferred Action for Childhood Arrivals applicants by county and by country of origin in the State of Maryland who have been accepted and approved to date. These records were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00508.)

IV. Freedom of Information Act Appeals

- On July 15, 2014, **Brian Bennett**, a reporter with the **Los Angeles Times** in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) response to his request seeking all final reports and/or consolidated reports on deadly force incidents submitted to the CBP Use of Force Incident Review Committee or any other officers at CBP by the responsible officials in charge from November 1, 2012, through December 31, 2013. The requester is contesting CBP's response.

that the Police Executive Forum report and the Use of Force Manual are responsive to the request. (Case Number CBP-AP-2014 036864.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Cause of Action v. Department of Homeland Security Office of Inspector General* (13-cv-00876-RJL), plaintiff filed a Freedom of Information Act request on March 27, 2013, seeking the following records: (1) records released for Case Numbers OIG 2013-11, OIG 2013-29, and OIG 2012-175; (2) records pertaining to former Acting/Deputy Inspector General Charles Edwards's official travels while occupying any Department of Homeland Security (DHS) position; (3) records pertaining to any complaints against Mr. Edwards received by the DHS Office of Inspector General (OIG) and the subsequent handling of such complaints by OIG Office of Investigations; and (4) records released to Andrew Becker, a reporter with the *Center for Investigative Reporting*. Plaintiff filed suit on June 13, 2013, claiming constructive denial. On October 31, 2013, DHS-OIG released its final response to the plaintiff. On June 27, 2014, the parties filed a Stipulation of Dismissal with Prejudice after reaching resolution on all disputed issues, with each party bearing its own costs and fees. The case closed on June 30, 2014.
- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 July 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 442 pages of records and nine Excel spreadsheets from the New Orleans, Newark, and Salt Lake City Field Offices.
- In the matter of *Detention Watch Network, et al. v. U.S. Immigration and Customs Enforcement, et al.* (S.D.N.Y. 14-cv-583), plaintiffs filed a Freedom of Information Act request on November 25, 2013, seeking records pertaining to the Detention Bed Mandate. Plaintiffs filed suit on January 30, 2014, claiming constructive denial, and sought a preliminary injunction to compel production. On July 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 1,227 pages of records and 22 Excel spreadsheets from the Atlanta, Denver, New York, and San Francisco Field Offices, Headquarters Enforcement and Removal Operations, and the ICE Office of Public Affairs.

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 July 17 - 23, 2014

Privacy Office

July 28, 2014

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 July 17, 2014, **Steven Miller**, a journalist with *The Washington Times* in Centreville, Maryland, requested from the Federal Emergency Management Agency (FEMA) records pertaining to contracts for services and facilities for the sheltering and care of minors in the Unaccompanied Alien Children program that were executed or cancelled from January 1, 2014, through the present. (Case Number FEMA 2014-FEFO-00831.)
- On July 17, 2014, **Jennifer Dorning**, a research director with the **Department for Professional Employees, American Federation of Labor and Congress of Industrial Organizations** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) the following data pertaining to O-visa and P-visa applications: (1) legal name of employer; (2) name of petitioning organization; (3) mailing address of petitioning organization; (4) classification requested; (5) approval or denial determination; and (6) all other releasable data from fiscal year 2009 through the present. (Case Number USCIS COW2014000504.)
- On July 17, 2014, **Ben Krause**, a reporter with **Armo Press, LLC** in Saint Paul, Minnesota, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records pertaining to training activities held by DHS and/or the Federal Protective Service at the Veterans Administration Mission Valley Health Care Clinic near San Diego, California, on June 11, 2014, and July 1, 2013, through the present. (Case Number NPPD 2014-NPFO-00378.)
- On July 17, 2014, **Conny Cooper**, a representative with **WTOC-TV** in Savannah, Georgia, requested from the United States Coast Guard (USCG) a copy of the manifest for the vessel ESCAPADE, which ran aground on July 16, 2014, off the coast of Tybee Island. (Case Number USCG 2014-2503.)
- On July 18, 2014, **Dave Hendricks**, a reporter with *The Corpus Christi Caller-Times* in Corpus Christi, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to complaints filed by U.S. Border Patrol agents regarding overcrowding and/or working conditions at the McAllen Border Patrol Station from April 18, 2014, through the present. (Case Number CBP-2014-037552.)
- On July 18, 2014, **Dave Hendricks**, a reporter with *The Corpus Christi Caller-Times* in Corpus Christi, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to complaints submitted to Border Patrol or

CBP regarding conditions at the McAllen Border Patrol Station from January 1, 2014, through the present. (Case Number CBP-2014-037562.)

- On July 19, 2014, **Jason Leopold**, a contributor with *Al Jazeera America* and an editor with *The Public Record* in Beverly Hills, California, requested from the Federal Emergency Management Agency (FEMA) records pertaining to terrorism training manuals prepared, maintained, drafted, or written by FEMA for law enforcement. (Case Number FEMA 2014-FEFO-00837.)
- On July 21, 2014, **Michael Kunzelman**, a reporter with the *Associated Press* in Baton Rouge, Louisiana, requested from the Federal Emergency Management Agency (FEMA) records pertaining to “notice of debt” letters (also known as recoupment letters) sent to individuals who received disaster assistance following Hurricane Sandy in 2012. (Case Number FEMA 2014-FEFO-00839.)
- On July 21, 2014, **Shane Simmons**, a reporter with *WQAD TV* in Moline, Illinois, requested from the Transportation Security Administration (TSA) records pertaining to items that have been confiscated by TSA at the Quad City International Airport from July 1, 2013, through the present. (Case Number TSA 2014-TSFO-00468.)
- On July 21, 2014, **Cyrus Farivar**, an editor with *ARS Technica* in Oakland, California, requested from the Transportation Security Administration (TSA) records pertaining to GSA Contract 35F-0351X and or FaceFirst. (Case Number TSA 2014-TSFO-00470.)
- On July 21, 2014, **Simone Aponte**, a producer with *KTVU Channel 2 News* in Oakland, California, requested from the Transportation Security Administration (TSA) records pertaining to complaints made by members of the public against TSA agents who work full-time at San Francisco International Airport and/or Oakland International Airport from July 1, 2013, through July 20, 2014. (Case Number TSA 2014-TSFO-00471.)
- On July 21, 2014, **Lee Hinnant**, a staff writer with *The State Port Pilot* in Southport, North Carolina, requested from the United States Coast Guard (USCG) a copy of the investigation and report pertaining to the accident involving the ferry ADVENTURE on December 17, 2013. (Case Number USCG 2014-2534.)
- On July 22, 2014, **David Minium**, a news production coordinator with *WKRC* in Cincinnati, Ohio, requested from the United States Coast Guard (USCG) a copy of recorded communications between vessels making distress calls or persons/vessels relaying to USCG that a vessel was in distress on the Ohio River on July 21, 2014. (Case Number USCG 2014-2537.)
- On July 22, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to evaluations, after action reports, and intelligence reports regarding the Honduran Special Tactical Operations Group. (Case Number CBP-2014-037868.)
- On July 22, 2014, **Stuart Anderson**, an executive director with **The National Foundation for American Policy** in Arlington, Virginia, requested from the Department of Homeland Security (DHS) records pertaining to cost and planning estimates for the following: (1) the processing and staffing for the Deferred

Action for Childhood Arrivals program; and (2) implementing S. 744, which passed the U.S. Senate in 2013. (Case Number 2014-HQFO-00650.)

Late requests

- On July 12, 2014, **Kristen Johanson**, a reporter with *CBS 3 News* in Philadelphia, Pennsylvania, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the deportation of (b)(6) (b)(6) (Case Number USCIS COW2014000500.)
- On July 15, 2014, **Melanie Mason**, a staff writer with the *Los Angeles Times* in Sacramento, California, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between USCIS and Congressman Edward Royce (R-CA) from January 3, 1993, through the present. (Case Number USCIS COW2014000497.)
- On July 16, 2014, **Ray Henry**, a reporter with the *Associated Press* in Atlanta, Georgia, requested from the United States Coast Guard (USCG) records pertaining to reports regarding the vessel ESCAPADE and/or vessels owned by Trade Winds Cruise Lines, LLC. (Case Number USCG 2014-2498.)

III. Freedom of Information Act Releases

- On July 17, 2014, U.S. Customs and Border Protection (CBP) released to **Jens Krogstad**, a writer with the *Pew Research Center* in Washington, DC, 65 pages of records consisting of one Excel spreadsheet containing data regarding unaccompanied juveniles apprehended by CBP in fiscal years 2013 through 2014 (June 27, 2014.) These records were released in full. (Case Number CBP-2014-032009.)
- On July 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, 468 pages of records consisting of the Closing Reports for complaints pertaining to treatment in the workplace filed within the Los Angeles area offices of ICE since January 1, 2008. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2012FOIA8134.)
- On July 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, 19 pages of records pertaining to ICE's efforts to obtain non-citizen license information from state Department of Motor Vehicle databases during the past five years. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA9608.)
- On July 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Amelia Fischer**, a representative with the *Texas Civil Rights Project* in Austin, Texas, 66 pages of records and six Excel spreadsheets pertaining to the use of segregation for both disciplinary and non-disciplinary purposes at Rolling Plains Detention Center from June 15, 2012, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2013FOIA28163.)

- On July 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Matt Dixon**, a reporter with the *Florida Times-Union* in Jacksonville, Florida, 1,223 pages of records pertaining to the City of Jacksonville's 287g program. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA31657.)
- On July 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Benjamin Alexander-Bloch**, a reporter with *The Times-Picayune* in New Orleans, Louisiana, one Excel spreadsheet containing information pertaining to arrests and deportation/removal of illegal immigrants in the metropolitan New Orleans area and the State of Louisiana for the past 10 years. These records were released in full. (Case Number ICE 2014FOIA5214.)
- On July 18, 2014, the Department of Homeland Security (DHS) released to **Lisette Garcia**, an investigator with **Judicial Watch** in Washington, DC, 39 pages of records pertaining to atrocity prevention strategies. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number 2014-HQFO-00471.)
- On July 18, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Matthew Mosk**, a producer with *ABC News* in Washington, DC, 11 pages of records consisting of correspondence between members of Congress and USCIS pertaining to the following applicants for designation as a USCIS Regional Center: (1) USA Now; (2) the Alabama Center for Foreign Investment; (3) Gulf Coast Funds Management; (4) the Orleans Parish Louisiana Targeted Enforcement Area; and (5) the South Dakota Regional Center. These records were released in full. (Case Number USCIS NRC2014059882.)
- On July 21, 2014, the Department of Homeland Security (DHS) released to **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, 81 pages of records consisting of e-mails from DHS leadership pertaining to the release of detainees. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number 2013-HQFO-00508.)
- On July 21, 2014, the United States Coast Guard (USCG) released to **Jennifer Helmstetter**, a legal assistant with **Bruno & Bruno, LLP** in New Orleans, Louisiana, 51 pages of records consisting of a Segment Inspection Report from Deepwater Horizon. These records were released in full. (Case Number USCG 2014-1538.)
- On July 23, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Martha Mendoza**, a writer with the *Associated Press* in Santa Cruz, California, 53 pages of records consisting of contracts between NPPD and The Johns Hopkins University Applied Physics Laboratory LLC pertaining to the Continuous Diagnostics and Mitigation Program. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(C). (Case Number NPPD 2014-NPFO-00210.)
- On July 23, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Ryan Kath**, a reporter with *41 Action News* in Kansas City, Missouri, two pages of investigative records pertaining to DHS-OIG investigation I11-FPS-CHI-00785. Portions of the release

were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number NPPD 2014-NPFO-00310.)

IV. Freedom of Information Act Appeals

- On July 9, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) response to his request seeking records pertaining to the February 18, 2014 shooting of Jesus Flores Cruz. The requester is contesting the decision to withhold the records in full pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-AP-2014-038064.)

V. Freedom of Information Act Appeals Releases

- On July 22, 2014, U.S. Customs and Border Protection (CBP) released to **Beth Werlin**, Deputy Director, Legal Action Center with the **American Immigration Council** in Washington, DC, 2,141 pages of records consisting of e-mails and investigatory records that contain the terms "hielera" or "hieleras." Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 2, 5, 6, 7(C), and 7(E). (Case Number CBP-AP-2014-016437.)

VI. Litigation

- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On July 21, 2014, ICE released the fourth production of 1,280 pages of sample Post Order Custody Review records.
- In the matter of *Conti v. Department of Homeland Security* (S.D.N.Y. 12-cv-5827), plaintiff, a former U.S. Immigration and Customs Enforcement (ICE) employee, filed a Freedom of Information Act request on April 12, 2011, seeking records pertaining to several investigations initiated based on complaints he made against other employees, as well as records of investigations pertaining to him. Plaintiff appealed ICE's response, and the appeal was granted, with a supplemental search ordered. Plaintiff filed suit on July 30, 2012, claiming constructive denial. On July 21, 2014, ICE made a supplemental release of 149 pages of e-mail records pertaining to a now-concluded investigation into the illegal activities of former Special Agent in Charge New York Group Supervisor Steven Kucan.

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 July 24 - 30, 2014

Privacy Office

August 4, 2014

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 July 30, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library the following: (1) the Premium Pay Guide and Administratively Uncontrollable Overtime Memorandum (98 pages); (2) the existing Secure Communities Interoperability Report for Fiscal Year 2014(58 pages); and (3) the Freedom of Information Act Closed Cases for September 2013 (one Excel spreadsheet).

II. Freedom of Information Act Requests

- On July 24, 2014, **John Christoffersen**, a journalist with the *Associated Press* in New Haven, Connecticut, requested from the United States Coast Guard (USCG) records pertaining to USCG patrol activity within the established safety zones in New York, New York in the past year. (Case Number USCG 2014-2578.)
- On July 25, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Transportation Security Administration (TSA) a copy of policies and records of communication from TSA employees from January 1, 2014, through the present pertaining to forms of identification acceptable for use by illegal immigrants to board American commercial aircraft at U.S airports. (Case Number TSA 2014-TSFO-00479.)
- On July 25, 2014, **Abigail Ohlheiser**, a reporter with *The Washington Post* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP's review of a group inspection along the Alaska border, as a group of boy scouts prepared to enter Alaska from Canada. (Case Number CBP-2014-038422.)
- On July 28, 2014, **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to draft report letters or final reports issued on "age determination practices" used by U.S. Immigration and Customs Enforcement (ICE) agents. (Case Number OIG 2014-147.)
- On July 28, 2014, **Stephan Tetreault**, a journalist with *Stephens Media/Las Vegas Review Journal* in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) records pertaining to organizations that were awarded grants under the Fiscal Year 2014 Urban Areas Security Initiative Nonprofit Security Grant Program. (Case Number FEMA 2014-FEFO-00853.)
- On July 28, 2014, **Rachael Tackett**, an editor with *Polity News* in Land O'Lakes, Florida, requested from the Department of Homeland Security (DHS) records pertaining to the Memorandum of Understanding between DHS Office of Cybersecurity and Communications and the Estonian Ministry of the Interior and

Estonian Information System's Authority from January 1, 2013, through the present. (Case Number 2014-HQFO-00670.)

- On July 29, 2014, **Scott MacFarlane**, a reporter with **NBC 4** in Washington, DC, requested from the Department of Homeland Security (DHS) a copy of the listing of purchase card expenses reviewed by DHS, Office of Inspector General (OIG) in a DHS-OIG investigation. (Case Number 2014-HQFO-00664.)
- On July 29, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) the following records pertaining to the locations within the U.S. to which illegal/undocumented aliens recently entering the U.S. at the Southwest border would be transported, relocated and/or resettled: (1) records pertaining to the policies or decision-making process; and (2) records of communication between DHS, other U.S. federal agencies, and the Executive Office of the President from January 1, 2014, through the present. (Case Number 2014-HQFO-00665.)
- On July 29, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) records of communication between these agencies, other U.S. federal agencies, and the Executive Office of the President pertaining to disclosure of information about diseases afflicting illegal aliens crossing the U.S. Southwest border from May 1, 2014, through the present. (Case Numbers 2014-HQFO-00667 and FEMA 2014-FEFO-00858.)
- On July 29, 2014, **Beth Werlin**, Deputy Director, Legal Action Center with the **American Immigration Council** in Washington, DC; **Trina Realmuto**, a representative with the **National Immigration Project of the National Lawyers Guild** in Boston, Massachusetts; and **Omar Jadwat**, a representative with the **American Civil Liberties Union Foundation, Immigrants' Rights Project** in New York, New York, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to expedited removal; and (2) records pertaining to the expedited removal process and the credible fear process at the detention facility in Artesia, New Mexico from June 1, 2014, through the present. (Case Number 2014-HQFO-00671.)
- On July 29, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to the following for 2011 through 2013, listed by U.S. commercial airport per year: (1) the number of "Known or Suspected Terrorists" encountered; (2) the number of airline passengers undergoing enhanced screening; and (3) the number of airline passengers denied permission to board aircraft. (Case Number TSA 2014-TSFO-00485.)
- On July 29, 2014, **Anita Lee**, a staff writer with the **Sun Herald** in Gulfport, Mississippi, requested from the United States Coast Guard (USCG) a copy of the report pertaining to the collision between the vessels EURUS LONDON and SANDY POINT in the Gulfport Ship Channel on May 18, 2011. (Case Number USCG 2014-2614.)

Late requests

- On July 10, 2014, **Niels Frenzen**, a professor of law with the **University of Southern California Gould School of Law** in Los Angeles, California, requested from U.S. Immigration and Customs Enforcement (ICE) data pertaining to migrants processed at the Migrant Operations Center at Guantanamo Bay Naval Base from October 1, 2009, through the present. (Case Number ICE 2014-ICFO-03555.)
- On July 14, 2014, **Jason Buch**, a reporter with the *San Antonio Express-News* in San Antonio, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) the number of alien juveniles removed from the U.S. by ICE in fiscal years 2011 through 2013. (Case Number ICE 2014-ICFO-03320.)
- On July 16, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records of communication between USCIS and various entities in Guatemala, El Salvador, Honduras, and Mexico pertaining to the influx of undocumented unaccompanied minors and others into the U.S. from July 15, 2013, through the present. (Case Number USCIS COW2014000505.)
- On July 18, 2014, **Lukas Autenried**, an intern with the **Center for Effective Government** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) a copy of contract HSSCCG11J00163 awarded to Computer Sciences Corporation in fiscal year 2013. (Case Number USCIS CNT2014000017.)
- On July 18, 2014, **Kathryn Zecca**, a representative with **Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP** in Washington, DC, requested from the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) records pertaining to the contract between S&T, BAE Systems, and Northrup Grumman regarding the Counter Man-Portable Air-Defense System. (Case Number S&T 2014-STFO-060.)

III. Freedom of Information Act Releases

- On July 14, 2014, the United States Coast Guard (USCG) released to **Taylor Hill**, a reporter with the *Orange County Register* in Santa Ana, California, 105 pages of records consisting of transcripts from the USCG June 17, 2014 Southern California Listening Session. These records were released in full. (Case Number USCG 2014-2332.)
- On July 24, 2014, the Department of Homeland Security (DHS) released to **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, five pages of records consisting of a listing of expenses pertaining to Starbucks for 2013. These records were released in full. (Case Number 2014-HQFO-00238.)
- On July 24, 2014, the United States Coast Guard (USCG) released to **David Minium**, a news production coordinator with *WKRC* in Cincinnati, Ohio, one audio file pertaining to distress calls on the Ohio River on July 21, 2014. These records were released in full. (Case Number USCG 2014-2537.)
- On July 25, 2014, U.S. Customs and Border Protection (CBP) released to **Erica Proffer**, a reporter with *KRGV-TV* in Weslaco, Texas, one page of records containing statistics pertaining to apprehensions and drug seizures for the Rio

Grande Valley Sector for October 5, 2013, through October 7, 2013. These records were released in full. (Case Number CBP-2014-000441.)

- On July 29, 2014, U.S. Customs and Border Protection (CBP) issued to **Abigail Ohlheiser**, a reporter with *The Washington Post* in Washington, DC, a full denial in response to her request seeking records pertaining to CBP's review of a group inspection along the Alaska border, as a group of boy scouts prepared to enter Alaska from Canada. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-038422.)
- On July 29, 2014, the United States Coast Guard (USCG) released to **John Christoffersen**, a journalist with the *Associated Press* in New Haven, Connecticut, one Excel spreadsheet containing a listing of safety zones established within the area of responsibility for USCG Sector New York for the past three years. These records were released in full. (Case Number USCG 2014-2270.)
- On July 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Mark Adamczyk**, an individual in Cheektowaga, New York, two pages of records consisting of a contract modification reflecting the change in contract cost due to sequestration for Valley Metro Barbosa Group in the Buffalo Federal Detention Facility in Batavia, New York. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(C). (Case Number ICE 2013FOIA30966.)
- On July 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Rachael Tackett**, a reporter with *Polity News* in Land O' Lakes, Florida, 15 pages of records consisting of e-mails pertaining to the Pirate Bay (also known as piratebay.org, thepiratebay.se, Pirate Bay, and TPB). Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA18561.)
- On July 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Sean Dunagan**, a representative with **Judicial Watch** in Washington, DC, 23 pages of records consisting of a contract and e-mails pertaining to the acquisition of less than lethal launcher kits from Pepperball Technologies, Inc. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2014FOIA2456.)

IV. Freedom of Information Act Appeals

- On July 29, 2014, **Michael Kunzleman**, a journalist with the *Associated Press* in New Orleans, Louisiana, appealed the Department of Homeland Security (DHS), Office of Inspector General's (OIG) response to his request seeking records pertaining to DHS-OIG investigation I13-FPS-SID-00215. The requester is contesting the decision to withhold information pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2014-A12.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Conti v. Department of Homeland Security* (S.D.N.Y. 12-cv-5827), plaintiff, a former U.S. Immigration and Customs Enforcement (ICE) employee, filed a Freedom of Information Act request on April 12, 2011, seeking records pertaining to several investigations initiated based on complaints he made against other employees, as well as records of investigations pertaining to him. Plaintiff appealed ICE's response, and the appeal was granted, with a supplemental search ordered. Plaintiff filed suit on July 30, 2012, claiming constructive denial. On July 25, 2014, ICE issued a supplemental release of 47 pages of Joint Integrity Case Management System screenshots pertaining to a now-concluded investigation into the illegal activities of former Special Agent in Charge New York Group Supervisor Steven Kucan.
- In the matter of *Poulsen v. Department of Homeland Security* (13-cv-00498), plaintiff filed a Freedom of Information Act request on February 4, 2013, seeking records pertaining to Aaron Swartz. Plaintiff filed suit on April 12, 2013, claiming the United States Secret Service (USSS) wrongfully withheld records from plaintiff by failing to comply with the statutory time limit for rendering a decision on plaintiff's appeal dated, March 1, 2013. On July 30, 2014, USSS released its seventeenth interim release of 403 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 Activity for the Week of July 31 – August 6, 2014

Privacy Office

August 11, 2014

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 July 31, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to United Nations involvement in the recent influx of illegal aliens crossing the U.S. Southwest border from January 1, 2014, through the present. (Case Number 2014-HQFO-00680.)
- On July 31, 2014, **Mike Ludwig**, a representative with **Truthout** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the security breach of the IRIS web server on February 21, 2014. (Case Number USCG 2014-2639.)
- On August 1, 2014, **Sean Horgan**, a reporter with *The Gloucester Daily Times* in Gloucester, Massachusetts, requested from the United States Coast Guard (USCG) the following records: (1) records pertaining to a July 22, 2012 incident report regarding the vessel GRIM REAPER; and (2) records pertaining to any other USCG incident or arrest reports regarding the vessel GRIM REAPER and/or its owner. (Case Number USCG 2014-2647.)
- On August 1, 2014, **Scott MacFarlane**, a reporter with *NBC4* in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of photographs reviewed or taken by DHS-OIG in the research and investigation for the memorandum titled “Oversight of Unaccompanied Alien Children.” (Case Number OIG 2014-149.)
- On August 1, 2014, **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 any other services to President Obama and any companions on their trip to New York, New York on July 17, 2014. (Case Number USSS 20140856.)
- On August 1, 2014, **Anemona Hartocollis**, a reporter with *The New York Times* in New York, New York, requested from the Federal Emergency Management Agency (FEMA) records of communication between FEMA and New York University and New York University Langone Medical Center pertaining to a request for a FEMA grant regarding damage from Hurricane Sandy from October 1, 2012, through July 31, 2014. (Case Number FEMA 2014-FEFO-00864.)
- On August 4, 2014, **Forrest Carr**, a representative with *PowerTalk 1210* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to the handling of undocumented unaccompanied minors and undocumented women with children and related costs

to the Department of Homeland Security (DHS) and CBP; and (2) records pertaining to the amount of donated goods and services provided by private citizens and local communities from May 1, 2014, through the present. (Case Number CBP-2014-039629.)

- On August 4, 2014, **Ellen Sullivan**, a reporter with the *Associated Press* in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A) records pertaining to CubaGrams from January 1, 2003, through the present. (Case Number I&A 2014-IAFO-00228.)
- On August 5, 2014, **Russell Zimmer**, a staff writer with the *Asbury Park Press* in Asbury Park, New Jersey, requested from the Federal Emergency Management Agency (FEMA) records pertaining to audits conducted on a Write Your Own/Standard Flood Insurance Policy claim providing coverage in New Jersey since October 29, 2012. (Case Number FEMA 2014-FEFO-00873.)
- On August 5, 2014, **Lauren Sweeney**, a reporter with *KPRC TV* in Houston, Texas, requested from the Transportation Security Administration (TSA) records pertaining to complaints received from passengers at Houston Hobby Airport and George Bush International Airport from January 1, 2013, through January 1, 2014. (Case Number TSA 2014-TSFO-00500.)
- On August 5, 2014, **Naimah Jabali-Nash**, a production associate with *HBO Sports* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to reports detailing the USCG search for four passengers from a boating accident on February 28, 2009, in the Gulf of Mexico. (Case Number USCG 2014-2667.)
- On August 5, 2014, **Garret Ellison**, a reporter with *MLive Media Group* in Grand Rapids, Michigan, requested from the United States Coast Guard (USCG) a copy of the incident report pertaining to the USCG rescue of a scuba diver on August 2, 2014, in Lake Michigan, offshore from Saugatuck. (Case Number USCG 2014-2677.)
- On August 5, 2014, **Robert Kall**, a representative with *Opednews* in Newtown, Pennsylvania, requested from the Department of Homeland Security (DHS) the following records: (1) a list of Freedom of Information Act requests pertaining to the Ebola virus and the accompanying replies for the past year; and (2) records pertaining to the discussion of considerations for bringing patients affected with the Ebola virus into the U.S. from January 1, 2003, through the present. (Case Number 2014-HQFO-00699.)
- On August 6, 2014, **Alexei Oreskovic**, a representative with *Thomson Reuters* in San Francisco, California, requested from the Department of Homeland Security (DHS) records pertaining to meetings and contacts between DHS and Google Inc, Facebook Inc, and Amazon.com regarding the operation, licensing, and testing of unmanned aircraft including drones, balloons, and satellites. (Case Number 2014-HQFO-00702.)

Late requests

- On April 15, 2014, **Ginger McCall**, an associate director with the **Electronic Privacy Information Center** in Washington, DC, requested from U.S. Customs

and Border Protection (CBP) records pertaining to the Analytical Framework for Intelligence. (Case Number CBP-2014-032396.)

- On July 8, 2014, **Sean Dunagan**, an investigator with **Judicial Watch** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Request for Information/Sources Sought solicitation pertaining to “escort services for unaccompanied alien children” issued on January 29, 2014. (Case Number ICE 2014-ICFO-03528.)
- On July 9, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the June 26, 2014 incident near Sells, Arizona, on the Tohono O' Odham Indian Reservation, during which one or more Mexican military helicopters reportedly entered U.S. airspace and fired shots in the vicinity of U.S. Border Patrol personnel. (Case Number ICE 2014-ICFO-03525.)
- On, July 22, 2014, **Joanna Kao**, a reporter with **Al Jazeera America** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of all I-831 forms that show a military inquiry or records that show the deportees who have served in any branch of the U.S. military. (Case Number ICE 2014-ICFO-03925.)
- On July 30, 2014, **Omar Villafranca**, a reporter with **CBS News** in Irving, Texas, requested from U.S. Customs and Border Protection (CBP) the number of CBP agents assigned to the Rio Grande Valley Sector, the number of agents that requested transfers, and the number of requests granted by year from 2010 through 2013. (Case Number CBP-2014-038995.)
- On July 30, 2014, **Robert Hopwood**, a reporter with **The Desert Sun** in Palm Springs, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to complaints filed against U.S. Border Patrol agents in the El Centro Sector during the past five years. (Case Number CBP-2014-039095.)
- On July 30, 2014, **Richard Diamond**, a representative with **The Washington Times** in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) records pertaining to grants and contracts with Kinder Morgan Liquids Terminal LLC from January 1, 2007, through December 31, 2013. (Case Number FEMA 2014-FEFO-00861.)
- On July 30, 2014, **David Caruso**, a reporter with the **Associated Press** in New York, New York requested from the Federal Emergency Management Agency (FEMA) records pertaining to a letter of undertaking between FEMA and New York University Hospitals Center regarding a public assistance grant of up to 1.12 billion dollars for assistance to recover from damage sustained during Hurricane Sandy. (Case Number FEMA 2014-FEFO-00863.)
- On July 30, 2014, **Eileen Sullivan**, a reporter with the **Associated Press** in Washington, DC, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) the following records: (1) meeting minutes pertaining to the Telecommunications Service Priority Oversight Committee since March 1, 2003; and (2) reports and audits provided to the committee since August 1, 2000. (Case Number NPPD 2014-NPFO-00402.)
- On July 30, 2014, **Linzi Sheldon**, a reporter with **KIRO-TV** in Seattle, Washington, requested from the United States Coast Guard (USCG) records

pertaining to USCG ferry inspections for Washington State Department of Transportation's fleet of ferries, including the ferry TACOMA, for the last two years. (Case Number USCG 2014-2628.)

- On July 30, 2014, **Linzi Sheldon**, a reporter with **KIRO-TV** in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to the USCG inspection of the ferry TACOMA after its power failure on July 29, 2014. (Case Number USCG 2014-2633.)

III. Freedom of Information Act Releases

- On July 31, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jacqueline Stevens**, a professor with **Northwestern University** in Evanston, Illinois, one Excel spreadsheet and 816 pages of records pertaining to ICE Risk Assessment. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 5, 6, 7(C), and (7)(E). (Case Number ICE 2013FOIA17862.)
- On July 31, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Giancarlo Santoro**, a representative with **Pacific Lutheran University** in Tacoma, Washington, one Excel spreadsheet containing the number of individuals from ages 18 through 21 detained at the Tacoma Northwest Detention Center. These records were released in full. (Case Number ICE 2014FOIA14729.)
- On July 31, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **David Iaconangelo**, a journalist with the **Latin Times** in Brooklyn, New York, three Excel spreadsheets pertaining to the transfer of detainees between ICE detention centers from January 1, 2012, through March 31, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA16833.)
- On July 31, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Christine Haas**, a reporter with **Fox 7 News** in Austin, Texas, one Excel spreadsheet containing information pertaining to the following: (1) travel expenses for ICE agents accompanying minors into the U.S; (2) expenses from January 2014 through the present; and (3) annual travel expense totals for ICE agents for budget years 2010 through 2013. These records were released in full. (Case Number ICE 2014FOIA18569.)
- On July 31, 2014, the Federal Emergency Management Agency (FEMA) released to **Chris Glorioso**, a reporter with **WNBC-TV** in New York, New York, 212 pages of records consisting of applications for funding, e-mails, meeting minutes, and memoranda pertaining to FEMA decisions regarding Hurricane Sandy recovery funds for New York University Medical Center. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number FEMA 2013-FEFO-00277.)
- On July 31, 2014, the Transportation Security Administration (TSA) released to **Alison Young**, a reporter with **USA Today** in McLean, Virginia, 112 pages of records consisting of service records for full-body backscatter x-ray scanners describing the machine problems and corrective actions taken. These records were released in full. (Case Number TSA 2011-TSFO-00671.)

- On July 31, 2014, the Department of Homeland Security (DHS) issued to **Douglas Lucas**, a representative with **MuckRock News** in Boston, Massachusetts, a no records determination in response to his request seeking records from several DHS senior officials pertaining to Mexican police or Mexican military at Fort Bliss, Texas, from January 1, 2010, through the present. (Case Number 2014-HQFO-00465.)
- On July 31, 2014, U.S. Customs and Border Protection (CBP) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, 3,866 pages of records containing case-by-case data on apprehensions and dispositions from June 1, 2013, through May 31, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-2013-021401.)
- On August 1, 2014, U.S. Customs and Border Protection (CBP) released to **Rachael Bale**, a researcher with the **Center for Investigative Reporting** in Emeryville, California, 15 pages of records consisting of the U.S. Border Patrol Hold Rooms and Short Term Custody policy. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2013-021045.)
- On August 1, 2014, U.S. Customs and Border Protection (CBP) released to **Shane Shifflett**, a reporter with **The Huffington Post** in Brooklyn, New York, 6,322 pages of records consisting of one Excel spreadsheet containing apprehension data for every U.S. Border Patrol sector from September 1, 2012, through October 17, 2013. These records were released in full. (Case Number CBP-2014-003447.)
- On August 1, 2014, U.S. Customs and Border Protection (CBP) released to **Clayton Hanson**, a writer and editor with **Congressional Quarterly** in Washington, DC, five pages of records consisting of e-mails between CBP Commissioner Gil Kerlikowski and the Office of State, Local and Tribal Liaison pertaining to the unaccompanied migrant children along the southern border of the United States from January 1, 2012, through July 1, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-2014-035968.)
- On August 4, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Trina Realmuto**, a researcher with the **National Immigration Project of the National Lawyers Guild** in Boston, Massachusetts, and **Sarah Mehta**, a researcher with the **American Civil Liberties Union** in New York, New York, 123 pages of records consisting of guidance on reinstatement of orders of removal from 2008 through 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 7(E). (Case Number USCIS COW2014000125.)
- On August 4, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Keller**, a reporter with **Business Newsweek** and **The Daily Beast** in New York, New York, 28 pages of records consisting of an internet services agreement and a subcontract with Acxiom. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2013FOIA29927.)

- On August 4, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Gabriel Schivone**, a blogger with *The Huffington Post* in Tucson, Arizona, eight pages of records consisting of a contract for equipment services with Motorola Solutions Inc. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(C). (Case Number ICE 2014FOIA18749.)
- On August 5, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Mathew Kish**, an associate with the *Portland Business Journal* in Portland, Oregon, 120 pages of records pertaining to an investigation involving the State of Oregon and respective interviews pertaining to the late founder of U.S. Corporation Services. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA02981.)
- On August 5, 2014, the Federal Emergency Management Agency (FEMA) released to **Chris Glorioso**, a reporter with *WNBC TV* in New York, New York, eight pages of records and two Excel spreadsheets containing National Flood Insurance Repetitive Loss and Severe Repetitive Loss claims data for properties in New York, New Jersey, and Connecticut. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FEMA 2014-FEFO-00692.)
- On August 5, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Luke Rosiak**, a reporter with *The Washington Examiner* in Washington, DC, 35 pages of records from investigations by the Environmental Protection Agency OIG. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number OIG 2014-139.)
- On August 5, 2014, the United States Coast Guard (USCG) released to **Cynthia Wise**, a senior assignments editor with *KING5 News* in Seattle, Washington, 95 pages of records from the late Steven Allen Dailey's merchant mariner service record. These records were released in full. (Case Number USCG 2014-2457.)
- On August 6, 2014, the United States Coast Guard (USCG) released to **Douglas Gillison**, a representative with *100Reporters* in Washington, DC, 700 pages of records consisting of reports of incident investigations involving vessels in the Distant Water Tuna Fleet. These records were released in full. (Case Number USCG 2014-1492.)
- On August 6, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Tim Murphy**, a reporter with *Mother Jones* in Washington, DC, 132 pages of records consisting of letters and news articles pertaining to the late Farley Mowat, a Canadian citizen and author. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 2, 5, 6, 7(C), and 7(E). (Case Number USCIS COW2014000357.)

IV. Freedom of Information Act Appeals

- On July 29, 2014, **Susan Long**, Co-director with the **Transactional Records Access Clearing House** in Syracuse, New York, appealed U.S. Customs and Border Protection's (CBP) response to her request for classification as a media

requester regarding her request seeking data on apprehensions and dispositions for June 2014. The requester is contesting classification as a commercial use requester. (Case Number CBP-AP-2014-039965.)

V. Freedom of Information Act Appeals Releases

- On August 1, 2014, the United States Secret Service (USSS) released to **Sarah Sloan**, a representative with the **Partnership for Civil Justice Fund** in Washington, DC, 182 pages of records pertaining to law enforcement involvement in discussions, communications, and technical support regarding the “Occupy Wall Street” movement and the “Occupy” encampments in sites around the country. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number USSS 20120992.)
- On August 5, 2014, the Department of Homeland Security (DHS) released to **Kate Bailey**, a representative with **Judicial Watch** in Washington, DC, 19 pages of records consisting of charts pertaining to mass shootings data. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number 2014-HQFO-00216.)

VI. Litigation

- In the matter of *Asian Law Caucus v. Department of Homeland Security* (N.D. C.A. 13-cv-1593), plaintiff filed a Freedom of Information Act request on December 21, 2012, seeking internal and external U.S. Immigration and Customs Enforcement (ICE) communications and policies concerning California’s TRUST Act. Plaintiff filed suit on April 9, 2013, claiming constructive denial. On July 31, 2014, ICE released its third supplemental release of 450 pages of records and 29 Excel spreadsheets from the Los Angeles Field Office.
- In the matter of *Prison Legal News v. Department of Homeland Security* (W.D. Wash. 14-cv-00479), plaintiff filed a Freedom of Information Act request on August 7, 2013, seeking a copy of contracts and other records pertaining to the provision of telephone services to U.S. Immigration and Customs Enforcement (ICE) detainees held in facilities operated by the GEO Group. Plaintiff filed suit on April 2, 2014, claiming constructive denial. On July 31, 2014, ICE released 541 pages of contracts, invoices, and purchase orders.

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 August 7 - 13, 2014

Privacy Office

August 18, 2014

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 August 7, 2014, **Katie Moore**, a reporter and anchor with *WWL-TV* in New Orleans, Louisiana, requested from the Transportation Security Administration (TSA) the following records: (1) records pertaining to the camera footage from July 26, 2014, of the checked baggage screening area at the New Orleans Armstrong International Airport; (2) a copy of complaint forms pertaining to missing items from checked baggage at the aforementioned airport from January 1, 2014, through June 30, 2014; and (3) a copy of TSA policies and procedures governing searched check baggage that involve and/or require notification of passengers that their bags have been searched. (Case Number TSA 2014-TSFO-00506.)
- On August 7, 2014, **Evan Lehmann**, a reporter with *ClimateWire* in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) records pertaining to federal reimbursements to Write Your Own insurance companies for legal fees associated with the National Flood Insurance Program. (Case Number FEMA 2014-FEFO-00881.)
- On August 8, 2014, **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, requested from the United States Secret Service (USSS) a copy of e-mails sent or received by the following individuals including the keyword “Hinckley” from January 1, 2012, through the present: (1) Ed Donovan (Case Number USSS 20140903); (2) Director of USSS(Case Number USSS 20140904); (3) Deputy Director of USSS(Case Number USSS 20140905); (4) Chief of Staff of USSS(Case Number USSS 20140906); (5) Head of Protective Operations of USSS (Case Number USSS 20140907); and (6) all USSS officers assigned to the John Hinckley Jr. case as of August 7, 2014. (Case Number USSS 20140908.)
- On August 8, 2014, **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, requested from the Department of Homeland Security (DHS) the following records: (1) statistical data pertaining to the number of Deferred Action for Childhood Arrivals listing criminal history on their I-821D applications; (2) a copy of internal reports produced by the Background Check Unit Deferred Action for Childhood Arrivals team pertaining to statistical data of Deferred Action for Childhood Arrivals applicants with criminal backgrounds; and (3) records pertaining to the results of quality assurance reviews of Deferred Action for Childhood Arrivals files, including error reports provided to the Lockbox service provider. (Case Number 2014-HQFO-00715.)

- On August 11, 2014, **Barb Ickes**, a reporter with *Quad-City Times* in Davenport, Iowa, requested from the United States Coast Guard (USCG) records pertaining to crash investigations regarding Channel Cat Water Taxis. (Case Number USCG 2014-2731.)
- On August 12, 2014, **Lisa Bartley**, a reporter with *KABC-TV* in Glendale, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to cell phone tracking technology “Stingray” or IMSI catcher used by the Los Angeles Police Department and other law enforcement agencies. (Case Number OIG 2014-158.)
- On August 12, 2014, **Brett Solomon**, a representative with **Access Now, Inc.** in New York, New York, requested from the Department of Homeland Security (DHS) records pertaining to an investigation into the suspension of the domain 1dmx.org from December 1, 2013, through April 30, 2014. (Case Number 2014-HQFO-00720.)
- On August 12, 2014, **Simone Aponte**, an executive producer with *KTVU-TV* in Oakland, California, requested from the Transportation Security Administration (TSA) records pertaining to complaints against TSA agents at San Francisco International Airport and/or Oakland International Airport made by members of the public to the Multicultural Branch from July 1, 2013, through July 20, 2014. (Case Number TSA 2014-TSFO-00514.)
- On August 12, 2014, **Simone Aponte**, an executive producer with *KTVU-TV* in Oakland, California, requested from the Transportation Security Administration (TSA) records pertaining to recorded security videos of Marilyn Hartman at various checkpoints and gates at Mineta San Jose International Airport on August 4, 2014. (Case Number TSA 2014-TSFO-00515.)
- On August 13, 2014, **Josh Margolin**, a reporter with *ABC News* in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to the arrest of a man suspected of posing as a security screener at San Francisco International Airport on July 15, 2014. (Case Number TSA 2014-TSFO-00519.)

Late requests

- On July 25, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) referred to DHS a request from **Sam Pearson**, a representative with *Environment & Energy News* in Washington, DC, seeking records of correspondence between Rand Beers and any representatives of the governments of Canada, Australia, the United Kingdom, and/or New Zealand pertaining to the Chemical Facility Anti-Terrorism Standards program and/or chemical security issues from April 9, 2013, through December 23, 2013. (Case Number 2014-HQFO-00718.)
- On August 6, 2014, **Michael Bender**, a reporter with *Bloomberg News* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) month-by-month data of Southwest border unaccompanied alien children apprehensions from October 1, 2008, through July 31, 2014. (Case Number CBP-2014-039943.)

III. Freedom of Information Act Releases

- On August 7, 2014, U.S. Customs and Border Protection (CBP) released to **Penny Star**, a staff writer with *CNS News* in Reston, Virginia, 2,686 pages of records consisting of one Excel spreadsheet containing apprehensions data inside the United States of Other Than Mexicans for fiscal year 2013. These records were released in full. (Case Number CBP-2014-035718.)
- On August 8, 2014, U.S. Customs and Border Protection (CBP) released to **Theodore Hesson**, a reporter with *Fusion* in Washington, DC, 587 pages of records consisting of one Excel spreadsheet containing apprehensions of unaccompanied juveniles by U.S. Border Patrol from October 1, 2013, through the present. These records were released in full. (Case Number CBP-2014-033821.)
- On August 8, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jeremy Redmon**, a reporter with *The Atlanta Journal-Constitution* in Woodstock, Georgia, 115 pages and six Excel spreadsheets pertaining to ICE detainees placed in segregation from 2011 through 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA18446.)
- On August 8, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Narayan Lakshman**, a journalist with *The Hindu* in Chevy Chase, Maryland, one Excel spreadsheet pertaining to more than 100 men from Punjab, India, held in the El Paso Texas Processing Center since November 11, 2013. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemption 7(E). (Case Number ICE 2014FOIA15898.)
- On August 8, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, two pages of records and one Excel spreadsheet containing information for the past five years pertaining to criminal aliens who requested parole before they arrived at a port of entry or whose parole request was reviewed before they arrived at a port of entry. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014FOIA16851.)
- On Aug 8, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Thomas Jones**, an individual in Edgewater, Maryland, 79 pages of records consisting of correspondence between ICE and Congressman Bruce Braley (D-IA) pertaining to: (1) policy, legislation, or regulations; (2) recommendations for executive branch positions or appointments; or (3) support or opposition to federal funding for programs, projects, or companies. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014FOIA18509.)
- On August 12, 2014, the Department of Homeland Security (DHS) released to **Ian Mandel**, an individual in Hoboken, New Jersey; **Pat Mullins**, Chairman with the **Republican Party of Virginia** in Richmond, Virginia; and **Nathaniel Gilman**, an individual in Washington, DC, 36 pages of records consisting of e-mails between DHS and Terence McAuliffe pertaining to GreenTech Automotive and Gulf Coast Funds Management. Portions of the release were withheld

pursuant to Freedom of Information Act Exemptions 4 and 6. (Case Numbers 2013-HQFO-00903, 2013-HQFO-00906, and 2013-HQFO-00909.)

- On August 12, 2014, the Department of Homeland Security (DHS) released to **Andrew Medici**, a journalist with the *Federal Times* in Springfield, Virginia, three pages of records pertaining to the most recent cost estimates regarding any potential delay of the agency consolidation efforts at the former Saint Elizabeths western hospital campus. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number 2014-HQFO-00520.)
- On August 12, 2014, U.S. Customs and Border Protection (CBP) issued to **Steven Hsieh**, a blogger with *The Nation* in Town and Country, Missouri, a no records determination in response to his request seeking records pertaining to training distributed or presented to U.S. Border Patrol staff to prepare for the surge of unaccompanied child migrants crossing the Southwest border from Central America in the late spring and summer of 2014. (Case Number CBP-2014-035545.)
- On August 13, 2014, U.S. Customs and Border Protection (CBP) released to **Michael Scott**, a reporter with *KRGV* in Weslaco, Texas, one page of records containing a chart of the number and types of assaults on border patrol agents in the Rio Grande Sector from March 1, 2014, through June 26, 2014. These records were released in full. (Case Number CBP-2014-034505.)
- On August 13, 2014, U.S. Customs and Border Protection (CBP) released to **Kevin Diaz**, a reporter with the *Houston Chronicle* in Washington, DC, one page of records containing statistics pertaining to CBP detainee interviews with unaccompanied children and others who have crossed the Southwest border illegally since October 1, 2013. These records were released in full. (Case Number CBP-2014-034835.)
- On August 13, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Tamara Miller**, an attorney with **The Federal Practice Group** in Washington, DC, 14 pages of records consisting of internal investigations of leaks to the media made by DHS and/or United States Secret Service (USSS) employees. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), and 7(C). (Case Number OIG 2014-024.)
- On August 13, 2014, the United States Coast Guard (USCG) released to **Douglas Gillison**, a representative with **100Reporters** in Washington, DC, 280 pages of records consisting of reports of incident investigations involving vessels in the Distant Water Tuna Fleet. These records were released in full. (Case Number USCG 2014-1492.)

IV. Freedom of Information Act Appeals

- On August 13, 2014, **Rachel Bale**, a researcher with the *Center for Investigative Reporting* in Emeryville, California, appealed U.S. Customs and Border Protection's (CBP) response to her request seeking records pertaining to policies and procedures on hold rooms and short term detentions. The requester is contesting the decision to withhold information pertaining to time limits, restraint

procedures, and detainees' access to prescription medication. (Case Number CBP-AP-2014-039727.)

V. Freedom of Information Act Appeals Releases

- On August 12, 2014, the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) released to **Scott Yundt**, a representative with **Tri-Valley Cares** in Livermore, California, 41 pages of records pertaining to the Threat Awareness Program of the Biodefense Knowledge Center. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number S&T 12-014.)

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 August 7, 2014, ICE released its twelfth supplemental release of 2,300 pages of records consisting of detention facility compliance inspection reports.
- In the matter of *Poulsen v. Department of Homeland Security* (13-cv-00498), plaintiff filed a Freedom of Information Act request on February 4, 2013, seeking records pertaining to Aaron Swartz. Plaintiff filed suit on April 12, 2013, claiming the United States Secret Service (USSS) wrongfully withheld records from plaintiff by failing to comply with the statutory time limit for rendering a decision on plaintiff's appeal dated, March 1, 2013. On August 12, 2014, USSS released its eighteenth interim release of two 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 Activity for the Week of August 14 - 20, 2014

Privacy Office

August 25, 2014

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 August 21, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS Freedom of Information Act Library the Congressional Correspondence Logs for 2006 through 2008 (1,914 pages).
- II. Freedom of Information Act Requests**
- On August 15, 2014, **Jacqueline Odum**, a research assistant with the **Center for American Progress** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) statistical data pertaining to O-1A and O-1B visa applications submitted to the California Service Center and the Vermont Service Center from fiscal years 2009 through 2013. (Case Number USCIS COW2014000564.)
 - On August 18, 2014, **Rebekah Young**, reporter with **KRGV-TV** in Weslaco, Texas, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the completed checklists for Rio Grande Valley Sector facilities visited for the report on “Oversight of Unaccompanied Alien Children.” (Case Number OIG 2014-162.)

Late requests

- On November 15, 2013, **Beth Werlin**, a deputy director with the **American Immigration Council** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the following statistical data for the Tucson Sector: (1) the number of individuals detained on a daily basis at each station; (2) the number of individuals detained in each detention cell or hold room; (3) the number of detention cells or hold rooms at each station; and (4) the length of time individuals are detained at each station from January 1, 2013, through June 30, 2013. (Case Number CBP-2014-003533.)
- On, August 4, 2014, **Vriti Jain**, a representative with the **Democratic Senatorial Campaign Committee** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to worksite enforcement or employer violations for the following companies: (1) Sara Lee from January 1, 1992, through December 31, 1994; (2) Haggar from January 1, 1994, through December 31, 1998; (3) Reebok from January 1, 1998, through December 31, 2002; and (4) Pillowtex from January 1, 2002, through December 31, 2003. (Case Number ICE 2014-ICFO-05087.)
- On August 13, 2014, **Scott MacFarlane**, a reporter with **NBC 4** in Washington, DC, requested from the Department of Homeland Security (DHS) a copy of the daily Outlook calendar for a specific e-mail address associated with Rand Beers

from June 1, 2013, through August 11, 2014. (Case Number 2014-HQFO-00732.)

III. Freedom of Information Act Releases

- On August 14, 2014, the Federal Emergency Management Agency (FEMA) released to **Michael Kunzelman**, a reporter with the *Associated Press* in Baton Rouge, Louisiana, 385 pages of records pertaining to individuals under review for possible recoupment or already found ineligible for some or all of the Hurricane Sandy-related assistance that FEMA provided through its Individuals and Households Program. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FEMA 2014-FEFO-00839.)
- On August 14, 2014, the Department of Homeland Security (DHS) issued to **Alexei Oreskovic**, a representative with *Thomson Reuters* in San Francisco, California, a no records determination in response to his request seeking records pertaining to meetings and contacts between DHS and Google Inc, Facebook Inc, and Amazon.com regarding the operation, licensing, and testing of unmanned aircraft including drones, balloons, and satellites. (Case Number 2014-HQFO-00702.)
- On August 14, 2014, U.S. Customs and Border Protection (CBP) issued to **Michael Marizco**, a reporter with *KVOA News 4* in Tucson, Arizona, a no records determination in response to his request seeking a database of all CBP officers and agents indicted and prosecuted in federal, state, or local court jurisdictions from October 1, 2006, through April 1, 2013. (Case Number CBP-2013-031526.)
- On August 15, 2014, U.S. Customs and Border Protection (CBP) released to **Michael Bender**, a reporter with *Bloomberg News* in Washington, DC, three pages of records containing statistics pertaining to CBP month-by-month data of Southwest Border unaccompanied alien children apprehensions from October 1, 2008, through July 31, 2014. These records were released in full. (Case Number CBP-2014-039943.)
- On August 18, 2014, the United States Coast Guard (USCG) released to **J.K. Trotter**, a representative with *MuckRock News* in Boston, Massachusetts, three pages of records consisting of the Separation Authorization record for Bowe Bergdahl. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number USCG 2014-2188.)
- On August 18, 2014, the United States Coast Guard (USCG) released to **Adrienne LaFrance**, a senior associate editor with *The Atlantic* in Washington, DC, 48 pages of records consisting of a social media discussion paper and a Social Media Field Guide. These records were released in full. (Case Number USCG 2014-2383.)
- On August 19, 2014, U.S. Customs and Border Protection (CBP) released to **Sean Dunagan**, a researcher with *Judicial Watch* in Washington, DC, 35 pages of records consisting of e-mails pertaining to the reported discovery of four suspected Mexican soldiers in a drug tunnel terminating in Otay Mesa on April 1, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2014-027545.)

- On August 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Lydia Medland**, a Research and Campaigns Coordinator with **Access Info Europe**, two Excel spreadsheets containing a list of the names and locations of all the facilities that currently are in use for the purpose of confining non-citizens in administrative detention for periods exceeding three days for immigration-related reasons. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2013FOIA16832.)
- On August 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Seth Wessler**, a representative with the **Applied Research Center** and **Colorlines** in New York, New York, 17 pages of records consisting of data from July 1, 2010, through April 1, 2013, pertaining to the number of parents of U.S. citizens who have been deported. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA18705.)
- On August 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jeremy Redmon**, a reporter with **The Atlanta Journal-Constitution** in Woodstock, Georgia, two Excel spreadsheets pertaining to detainees released from immigration detention centers from January 1, 2012, through June 22, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA15863.)
- On August 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Satnam Chahal**, a representative with **Punjab News USA** and the **North American Punjabi Association** in Milpitas, California, two Excel spreadsheets pertaining to currently detained Indian Nationals seeking asylum and those seeking asylum with the last or middle name (b)(6). Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014FOIA17410.)
- On August 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jason Cherkis**, a reporter with the **Huffington Post** in Washington, DC, two Excel spreadsheets containing the number of beds occupied in the ICE detention centers for September 2013, the crime levels of those detained, and how many were eventually detained. These records were released in full. (Case Number ICE 2014FOIA17635.)

IV. Freedom of Information Act Appeals

- On August 18, 2014, **Kevin Diaz**, a reporter with the **Houston Chronicle** in Washington, DC, appealed U.S. Customs and Border Protection's (CBP) response to his request seeking records pertaining to initial CBP detainee interviews with unaccompanied children and others who have crossed the Southwest border illegally since October 1, 2013. The requester is contesting the responsiveness of the one page record containing statistics pertaining to CBP detainee interviews. (Case Number CBP-AP-2014-041394.)

V. Freedom of Information Act Appeals Releases

- On August 15, 2014, U.S. Customs and Border Protection (CBP) released to **Rachel Bale**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 111 pages of records consisting of policies and procedures on hold rooms and short term detentions. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2014-039727.)

VI. Litigation

- In the matter of *Detention Watch Network v. Department of Homeland Security, et al.* (S.D. N.Y.14-cv-00583), plaintiff filed a Freedom of Information Act request on November 25, 2013, seeking records pertaining to the Detention Bed Mandate. Plaintiff filed suit on January 30, 2014, claiming constructive denial, and sought a preliminary injunction to compel production. On June 15, 2014, the Department of Homeland Security (DHS) released 171 pages of records in its first interim response. On July 15, 2014, DHS released 1,186 pages of records in its second interim response. On August 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 1,367 pages of records and two Excel spreadsheets from the Jena LaSalle, South Texas, Tulsa, and West Texas Field Offices, Headquarters Enforcement and Removal Operations, and the ICE Office of Public Affairs. On August 15, 2014, the DHS Office of Inspector General (OIG) released its first interim response of 69 pages of records consisting of the following two publicly available reports: (1) OIG-09-52 titled “Immigration and Custom Enforcement Detention Bedspace Management; and (2) OIG-14-116 (Revised) titled “ICE’s Release of Immigration Detainees.”
- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 August 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released two Excel spreadsheets of data pulled by the Enforcement and Removal Operations Statistical Tracking Unit.
- In the matter of *Cause of Action v. Department of Homeland Security, et al.* (D.C.14-cv-01407), plaintiff filed a Freedom of Information Act request on November 26, 2013, seeking records of communication between the Office of White House Counsel and the Department of Homeland Security (DHS) Privacy Office and DHS Office of the General Counsel (OGC) regarding the Office of White House Counsel’s review of agency records. On August 18, 2014, plaintiff filed suit claiming failure to produce responsive records and failure to comply with statutory deadlines.

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 August 21 - 27, 2014
Privacy Office
September 2, 2014
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 August 21, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library the following: (1) the Secure Communities Nationwide Interoperability Statistics -Year to Date Fiscal Year 2014 (58 pages); and (2) the Office of Detention Oversight-Detention Facility Compliance Inspections (273 pages).

II. Freedom of Information Act Requests

- On August 21, 2014, **Astrid Galvan**, a reporter with the *Associated Press* in Tucson, Arizona, requested from U. S. Customs and Border Protection (CBP) records pertaining to operational plans for the Border Patrol Tactical Unit deployment in Southern Arizona that included Border Patrol agent Brian Terry on December 14, 2010. (Case Number CBP-2014-041834.)
- On August 22, 2014, **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to the Residential Detention Facility located at FLETC in Artesia, New Mexico. (Case Number FLETC FOIA 14-092.)
- On August 22, 2014, **Evan Lehmann**, a reporter with **Environment & Energy Publishing, LLC** in Washington, DC, requested from the Federal Emergency Management Agency (FEMA) records of correspondence between FEMA and the following Senators: (1) Senator Charles Schumer (D-NY); (2) Senator Kirsten Gillibrand (D-NY); and (3) Senator David Vitter (R-LA) regarding Gerard Nielsen with the Nielsen Law Firm, LLC and Nielsen, Carter & Treas, LLC from August 27, 2013, through the present. (Case Number FEMA 2014-FEFO-00909.)
- On August 22, 2014, **Jeremy Simer**, a researcher with **Service Employees International Union** in Portland, Oregon, requested from the Transportation Security Administration (TSA) records pertaining to alleged violations of regulations by the following airlines and their representatives and service contractors: (1) Alaska Airlines; (2) Delta Air Lines; (3) United Airlines; and (4) Continental Airlines, regarding the inspections or investigations performed by TSA at Portland International Airport from January 1, 2008, through the present. (Case Number TSA 2014-TSFO-00535.)
- On August 25, 2014, **Jim McElhatton**, a representative with *The Washington Times* in Alexandria, Virginia, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to agreements for non-governmental, entertainment-oriented motion picture/video projects including, but not limited to, documentaries, books, web games, movies, television programs, and other types of media-related projects requesting the use of the Department name, seal, and insignia, and any other Departmental assistance

in the production of a multimedia project; and (2) records pertaining to video recordings acquired by DHS from outside sources (other than training videos) supporting or used to carry out Departmental programs from January 1, 2010 through the present. (Case Number 2014-HQFO-00758.)

- On August 25, 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 DHS decision, or contemplated decision, to rescind the 1983 restrictions that deny nonimmigrant status and benefits to Libyan nationals seeking to train in the U.S. in the areas of aviation maintenance, flight operations, or nuclear-related fields; and (2) records of communication to or from officials in the Office of the Secretary regarding the aforementioned rescission, or possible rescission from January 1, 2014, through the present. (Case Number 2014-HQFO-00771.)
- On August 25, 2014, **Jason Smathers**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the United States Secret Service (USSS) the following records: (1) records pertaining to illegal drug use in the White House; and (2) records pertaining to the public statement by Calvin Cordozar Broadus, Jr. (also known as Snoop Doggy Dogg, Snoop Dogg, and Snoop Lion) that he used marijuana in a White House bathroom, from January 20, 2009, through the present. (Case Number USSS 20140943.)
- On August 26, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) referred to DHS a request from **Sam Pearson**, a representative with **Environment & Energy News** in Washington, DC, seeking a copy of schedules for Rand Beers from January 1, 2012, through the present. (Case Number 2014-HQFO-00760.)

Late requests

- On July 31, 2014, **Cristina Costantini**, a journalist with **Fusion** in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) a copy of the 215 allegations of abuse that the Government Accountability Office reviewed in its November 2013 report titled “Immigration Detention: Additional Actions Could Strengthen DHS Efforts to Address Sexual Abuse (GAO-14-38),” including the 15 cases that were substantiated; and (2) records pertaining to sexual assault and abuse allegations filed by ICE detainees from January 2009, through August 2014. (Case Number ICE 2014-ICFO-05854.)
- On, August 11, 2014, **Ian Gordon**, a representative with **Mother Jones** in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) the following data: (1) the number of ICE detainees who died in ICE custody in the past five fiscal years, broken down by the date of death, age, nationality, and facility in which they died; and (2) the number of children born while their mothers were in ICE custody in the past five fiscal years, broken down by the date of birth, mother’s nationality, and facility in which they were born. (Case Number ICE 2014-ICFO-05868.)

III. Freedom of Information Act Releases

- On August 21, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Emma Jacobs**, a reporter with **WHYY** in Philadelphia, Pennsylvania, 2,020 pages of records pertaining to ICE arrests or detainers originating in Montgomery and Philadelphia counties in Pennsylvania, as well as contractual and audit records pertaining to the Alternatives to Detention program run by BI Incorporated in the Philadelphia Area of Responsibility. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(C). (Case Number ICE 2013FOIA6005.)
- On August 21, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Grace Meng**, a researcher with **Human Rights Watch** in New York, New York, 26 Excel spreadsheets containing data pertaining to non-citizens referred by ICE for federal criminal prosecution for “immigration offenses” from fiscal year 2004 through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2013FOIA18327.)
- On August 21, 2014, the Department of Homeland Security (DHS) released to **Jason Leopold**, a reporter with **Truthout** in Beverly Hills, California, nine pages of records consisting of the National Security Higher Education Advisory Board itinerary and attendees list. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number 2014-HQFO-00434.)
- On August 21, 2014, the Department of Homeland Security (DHS) released to **Todd Feathers**, a representative with **MuckRock News** in Boston, Massachusetts, 19 pages of records consisting of letters of correspondence between DHS and Joseph Aoun, President of Northeastern University. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00473.)
- On August 21, 2014, the Federal Emergency Management Agency (FEMA) released to **Scott MacFarlane**, a reporter with **NBC 4** in Washington, DC, 29 pages of records consisting of e-mails, media clips, and law enforcement reports on the Super Dome in New Orleans, Louisiana and the facility’s electrical/power system from February 2, 2013, through February 5, 2013, regarding Super Bowl XLVII. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number FEMA 2013-FEFO-00353.)
- On August 22, 2014, the Transportation Security Administration (TSA) released to **Scott McFarlane**, a reporter with **NBC 4** in Washington, DC, 90 pages of records consisting of data for purchases made at Starbucks using the Government Travel Card from January 1, 2013, through December 31, 2013. These records were released in full. (Case Number TSA 2014-TSFO-00142.)
- On August 25, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Amy Taxin**, a reporter with the **Associated Press** in Tustin, California, five Excel spreadsheets pertaining to prosecutorial discretion. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2012FOIA8491.)
- On August 25, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Ginger McCall**, Director, Open Government Project with the **Electronic**

Privacy Information Center in Washington, DC, 912 pages of records pertaining to the use, data collection, and data storage of information amassed by Automated License Plate Reader systems. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2012FOIA20811.)

- On August 25, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kjerstin Wood**, a researcher with the *Medill News Service* in Evanston, Illinois, 454 pages of records and two Excel spreadsheets pertaining to the following: (1) 287(g)-identified aliens for removal for the State of Illinois from 2010 through 2013; (2) the number of detainees within Illinois detention centers from 2010 through 2013; (3) the most recent inspection reports for Jefferson County Justice Center, McHenry County Adult Correction Facility, and the Tri-County Detention Center; and (4) the updated version of the Criminal Alien Population Projection Analysis projected arrests and releases at the county level. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2014FOIA10675.)
- On August 26, 2014, U.S. Customs and Border Protection (CBP) released to **Beth Werlin**, a deputy director with the **American Immigration Council** in Washington, DC, 12 pages of records containing statistics for the number of individuals detained on a daily basis at each Tucson Sector, listing the hold room, detention cells, and length of time individuals were detained from January 1, 2013 through June 30, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-2014-003533.)
- On August 26, 2014, the Department of Homeland Security (DHS) released to **Rachael Tackett**, an editor with *Polity News* in Land O Lakes, Florida, 10 pages of records consisting of the Memorandum of Understanding between DHS, Office of Cybersecurity and Communications and the Estonian Ministry of the Interior and Estonian Information System's Authority and related e-mails. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number 2014-HQFO-00670.)
- On August 27, 2014, the Department of Homeland Security (DHS) released to **Brett Solomon**, a representative with **Access Now, Inc.** in New York, New York, four pages of records pertaining to a request for an investigation into the suspension of the domain 1dmx.org. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00720.)
- On August 27, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, the following two publicly available reports on "age determination practices" used by U.S. Immigration and Customs Enforcement (ICE) agents: (1) OIG 10-12 titled "Age Determination Practices for Unaccompanied Alien Children in ICE Custody;" and (2) OIG 10-122 titled "Age Determination Practices for Unaccompanied Alien Children – Update." (Case Number OIG 2014-147.)

- On August 27, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Bob Ortega**, a reporter with the *Arizona Republic* in Phoenix, Arizona, 71 pages of records pertaining to investigations of several named individuals. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(A), 7(C), and 7(E). (Case Number OIG 2013-160.)
- On August 27, 2014, the United States Coast Guard (USCG) released to **Laura Oberle**, a representative with the *Island Packet/Beaufort Gazette* in Bluffton, South Carolina, 15 pages of records consisting of the case report pertaining to the vessel HOB0 that caught fire in the Port Royal Sound off of Hilton Head Island on July 19, 2014. These records were released in full. (Case Number USCG 2014-2531.)
- On August 27, 2014, the United States Coast Guard (USCG) released to **Garrett Ellison**, a reporter with *MLive Media Group* in Grand Rapids, Michigan, 49 pages of records consisting of the case report pertaining to the rescue of a scuba diver on August 2, 2014, in Lake Michigan, offshore from Saugatuck. These records were released in full. (Case Number USCG 2014-2677.)

IV. Freedom of Information Act Appeals

- On August 21, 2014, **Shawn Long**, an attorney on behalf of **Malia Litman**, an individual in Dallas, Texas, appealed the Department of Homeland Security (DHS), Office of Inspector General's (OIG) response to her request seeking records pertaining to the following: (1) allegations of alcohol abuse, domestic violence, sexual harassment, pornography, rape, sexual relations with prostitutes, and/or use of illegal drugs made against the United States Secret Service (USSS) in the past four years; (2) allegations made against Mark Sullivan, former Director of the USSS, for failure to prevent the above allegations; and (3) allegations of failure against former Secretary Janet Napolitano, relating to the above allegations made against any DHS employee. The requester is claiming constructive denial. (Case Number OIG 2014-A124.)

V. Freedom of Information Act Appeals Releases

- On August 27, 2014, U.S. Customs and Border Protection (CBP) released to **Damien Cave**, a correspondent with *The New York Times* in Mexico City, Mexico, 328 pages of records consisting of a chart listing summary data for complaints filed against CBP personnel along the Southwest border. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-AP-2014-004993.)
- On August 27, 2014, U.S. Customs and Border Protection (CBP) released to **Bob Ortega**, a reporter with the *Arizona Republic* in Phoenix, Arizona, 3,072 pages of records consisting of Reportable Use of Force Incident Data forms from August 1, 2012, through November 30, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2014-012999.)
- On August 27, 2014, the Department of Homeland Security (DHS) Office of Inspector General (OIG) released to **Malia Litman**, an individual in Dallas,

Texas, 229 pages of publicly available records pertaining to the United States Secret Service (USSS) consisting of complaint narratives, one report of investigation (I12-USSS-OSI-00800), and two inspection reports. (Case Number OIG 2014-123.)

VI. Litigation

- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On August 21, 2014, ICE released the sixth production of 1,246 pages of sample Post Order Custody Review records.
- In the matter of *Stevens v. Department of Homeland Security* (N.D. Ill. 14-cv-03305), plaintiff filed four Freedom of Information Act requests in fiscal years 2013 and 2014, seeking records pertaining to staffing plans at U.S. Immigration and Customs Enforcement (ICE) detention facilities, detainee grievances, and the voluntary work program for ICE detainees. Plaintiff filed suit on May 6, 2014, claiming constructive denial on all four requests. On August 25, 2014, ICE released its first interim release of 466 pages of reports of investigation pertaining to detainee complaints in the Stewart Detention Facility that were located by the ICE Office of Professional Responsibility.

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 August 28 – September 3, 2014
Privacy Office
September 8, 2014
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 August 28, 2014, **Cyrus Farivar**, an editor with *ARS Technica* in Oakland, California, requested from the Transportation Security Administration (TSA) records pertaining to the March 2013 Watchlisting Guidance. (Case Number TSA 2014-TSFO-00545.)
- On August 28, 2014, **Cristy Fajardo**, a reporter with *KCBS/KCAL-TV* in Los Angeles, California, requested from the Transportation Security Administration (TSA) the following records: (1) records pertaining to the audit conducted in the first few months of 2013 regarding police response times at Los Angeles International Airport; and (2) a copy of security videos of alleged gunman Paul Ciancia at Los Angeles International Airport on November 1, 2013. (Case Number TSA 2014-TSFO-00547.)
- On August 28, 2014, **Jonathan Carlson**, a reporter with *WXYZ-TV* in Detroit, Michigan, requested from the Transportation Security Administration (TSA) records pertaining to disciplinary action and termination as a result of, and criminal action against TSA agents at Detroit Metro Airport for the past two years. (Case Number TSA 2014-TSFO-00550.)
- On August 28, 2014, **Jonathan Carlson**, a reporter with *WXYZ-TV* in Detroit, Michigan, requested from the Transportation Security Administration (TSA) records pertaining to the number of claims of missing or stolen items from baggage and the dollar amount paid out in settlements and claims at Detroit Metro Airport for the past two years. (Case Number TSA 2014-TSFO-00551.)
- On August 29, 2014, **Jason Leopold**, a reporter with *VICE News* in Beverly Hills, California, requested from the Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A) the following records pertaining to intelligence bulletins, reports, and advisories regarding: (1) the Islamic State; (2) the Islamic State of Iraq; (3) the Islamic State of Iraq and the Levant; (4) the Islamic State of Iraq and Syria; and (5) U.S. citizens who are being recruited/radicalized by the Islamic State of Iraq and Syria and Muslim extremists and becoming jihadists. (Case Number I&A 2014-IAFO-0262.)
- On September 3, 2014, **Tom Winter**, a reporter with *NBC News* in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to contracts and request for proposals regarding the use of Soundex and similar matching algorithm systems for TSA screening of commercial aircraft passenger manifests to the Terrorist Screening Database,

Terrorist Identities Datamart Environment, and No-Fly databases. (Case Number TSA 2014-TSFO-00557.)

Late requests

- On October 17, 2013, **Paul Birmingham**, an investigator with *KVOA News* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) statistical data pertaining to the number of apprehensions of undocumented aliens on Fort Huachuca for the past five fiscal years. (Case Number CBP-2014-001009.)
- On June 30, 2014, **Craig Robinson**, a representative with **The Patriots Foundation** in West Des Moines, Iowa, requested from the United States Citizenship and Immigration Services (USCIS) records of correspondence between Department of Homeland Security (DHS) and USCIS employees, Senator Harry Reid (D-NV) and his representatives, and Lionel, Sawyer & Collins, P.C. employees pertaining to the following: (1) visas; (2) EB-5 visa approval petitions; (3) Alejandro Mayorkas; (4) Miguel Rodriguez; (5) SLS Hotel; and (6) the American Dream Fund Regional Center from January 1, 2011, through June 20, 2014. (Case Number USCIS COW2014000453.)
- On July 30, 2014, **Genevieve Curtis**, a reporter with *KFOX-TV* in El Paso, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data pertaining to the number of pregnant immigrants detained in ICE detention centers and the number of children born at the centers for fiscal years 2010 through 2014 (year to date). (Case Number ICE 2014-ICFO-06204.)
- On, August 18, 2014, **Brandon Scott**, a reporter with the *Conroe Courier* in Conroe, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to formal complaints, investigations, citations, fines, reprimands, and lawsuits against the Joe Corley Detention Facility since 2008. (Case Number ICE 2014-ICFO-06223.)
- On August 22, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the names and criminal charges of the 363 smugglers and their associates arrested as part of Operation Coyote as described by Department of Homeland Secretary (DHS) Secretary Jeh Johnson regarding the efforts to curb human smuggling in the Rio Grande Valley. (Case Number ICE 2014-ICFO-06073.)
- On, August 22, 2014, **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to lists of detention and deportation facilities (temporary or permanent) proposed, scheduled, or anticipated to open/opened in 2014 and 2015. (Case Number ICE 2014-ICFO-06364.)
- On August 26, 2014, **Sylvia Carignan**, a staff writer with *The Frederick News-Post* in Frederick, Maryland, requested from the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) a copy of laboratory mishap reports originating at the National Biodefense Analysis and Countermeasures Center from September 22, 2011, through the present. (Case Number S&T 2014-STFO-066.)

- On August 26, 2014 **Edward Hammond**, an individual in Austin, Texas, requested from the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) the following records: (1) minutes from the four most recent Institutional Biosafety Committee meetings; and (2) records pertaining to reports of problems, accidents, violations, illnesses, spills, exposures, and potential exposures under Section IV Appendix G, Appendix P, or Appendix Q of the National Institutes of Health Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules. (Case Number S&T 2014-STFO-067.)

III. Freedom of Information Act Releases

- On August 28, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Melanie Mason**, a staff writer with the *Los Angeles Times* in Sacramento, California, 63 pages of records consisting of correspondence between USCIS and Congressman Edward Royce (R-CA). Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number USCIS COW2014000497.)
- On August 28, 2014, the Federal Law Enforcement Training Centers (FLETC) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, 56 pages of records consisting of the Shot List and Film Treatment for Project VP-030-05 titled “ABC’s of Surveillance.” FLETC issued a full denial in response to the request seeking a copy of the final video for the project. Portions of the release and the entire video were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number FLETC FOIA 14-072.)
- On August 29, 2014, the United States Coast Guard (USCG) released to **Carroll Cox**, a radio host with *KWAI* in Mililani, Hawaii, 35 pages of records consisting of case reports, letters, and photographs pertaining to the spill of molasses into Honolulu Harbor from January 1, 2011, through December 4, 2013. These records were released in full. (Case Number USCG 2013-3468.)
- On September 2, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Melissa Correa**, a reporter with *KRGV-TV* in Weslaco, Texas, one page of records consisting of a response memorandum containing the following data: (1) the daily cost to house an illegal alien detained at the Port Isabel Service Detention Center; (2) fees associated with detaining an illegal alien; (3) orders of release approved by the field office; (4) the number of illegal aliens detained at the Port Isabel Service Detention Center from 2010 through the present; (5) the number of illegal aliens who failed to report to a Duty deportation officer; and (6) the number of illegal aliens bused to a port of entry in the Rio Grande Valley. These records were released in full. (Case Number ICE 2013FOIA18108.)
- On September 2, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous data on ICE removals in December 2013. These records were released in full. (Case Number ICE 2014FOIA6844.)

- On September 2, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Tan**, a staff attorney with the **American Civil Liberties Union Immigrants' Rights Project** in San Francisco, California, one Excel spreadsheet pertaining to individuals who were subject to mandatory detention under 8 U.S.C. Section 1226(c) from March 1, 2013, through March 31, 2014, in California, Massachusetts, and Washington. These records were released in full. (Case Number ICE 2014FOIA15902.)
- On September 2, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Carmen Forman**, a student journalist with the **University of Oklahoma Gaylord College of Journalism and Mass Communications** in Norman, Oklahoma, one Excel spreadsheet containing the number of deported undocumented immigrants from Oklahoma for the past five years. These records were released in full. (Case Number ICE 2014FOIA16348.)
- On September 3, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Craig Robinson**, a representative with **The Patriots Foundation** in West Des Moines, Iowa, 226 pages of records consisting of correspondence from the office of Senator Harry Reid (D-NV) and Miguel Rodriquez pertaining to the American Dream Fund Regional Center from January 1, 2011, through June 20, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4 and 6. (Case Number USCIS COW2014000453.)
- On September 3, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Amy Taxin**, a reporter with the *Associated Press* in Tustin, California, 162 pages of records pertaining to the Standard Operating Procedure for the exercise of prosecutorial discretion created by each ICE Chief Counsel's Office in the U.S. per the November 17, 2011 memorandum by Principal Legal Advisor Peter Vincent. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2012FOIA06977.)
- On September 3, 2014, the United States Coast Guard (USCG) released to **Lee Hinnant**, a staff writer with *The State Port Pilot* in Southport, North Carolina, 20 pages of records consisting of a case report pertaining to the accident involving the ferry ADVENTURE on December 17, 2013. These records were released in full. (Case Number USCG 2014-2534.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Asian Law Caucus v. Department of Homeland Security* (N.D. C.A. 13-cv-1593), plaintiff filed a Freedom of Information Act request on December 21, 2012, seeking internal and external U.S. Immigration and Customs Enforcement (ICE) communications and policies concerning California's TRUST

Act. Plaintiff filed suit on April 9, 2013, claiming constructive denial. On August 29, 2014, ICE released its fourth supplemental release of 324 pages of e-mail records and 10 Excel spreadsheets from Enforcement and Removal Operations.

- In the matter of *Torres v. Department of Homeland Security* (D. Ariz. 14-cv-0004), plaintiff improperly filed two Freedom of Information Act requests with U.S. Immigration and Customs Enforcement (ICE) seeking a copy of her Alien File, which ICE re-routed to the United States Citizenship and Immigration Services (USCIS). Plaintiff filed suit on January 2, 2014, claiming constructive denial. On August 29, 2014, ICE released its final response of 22 pages of records from the Phoenix Field Office and the Phoenix Office of the Chief Counsel.

Freedom of Information Act Exemptions

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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 September 4 - 10, 2014
Privacy Office
September 15, 2014
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 September 8, 2014, and September 9, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Office of Detention Oversight-Detention Facility Compliance Inspections menu 2014 inspection reports for the following facilities: (1) Boone County Jail (24 pages); (2) DeKalb County Detention Center (17 pages); (3) Northwest Detention Center (30 pages) and an amended version (31 pages); and (4) Joe Corley Detention Facility (27 pages).

II. Freedom of Information Act Requests

- On September 4, 2014, **Lomi Kriel**, a reporter with the *Houston Chronicle Media Group* in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) a copy of monthly reports sent to the Harris County Sheriff's Office pertaining to detainers and deportations resulting from Harris County Jail; and (2) statistical data pertaining to aliens transferred to ICE custody from Harris County Jail. (Case Number ICE 2014-ICFO-07019.)
- On September 4, 2014, **Rachel Luban**, a freelance journalist with *Full Stop* in Hyattsville, Maryland, requested from the United States Citizenship and Immigration Services (USCIS) a list of employers that petitioned USCIS for H-2B workers from January 1, 2012, through September 1, 2014. (Case Number USCIS COW2014000600.)
- On September 5, 2014, **Phil Villarreal**, an editor and web producer with *KGUN9-TV* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to reports regarding the kidnapping pursuit that began on West Melridge Street in Tucson on September 3, 2014. (Case Number CBP-2014-043611.)
- On September 6, 2014, **Thomas Jones**, a reporter with *NBC Universal* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) a copy of surveillance footage, audio, and/or dashboard camera footage pertaining to the apprehension of Evereth Cabrera, San Diego Padres infielder, for driving under the influence at the State Route 94 Border Patrol Checkpoint in Dulzura, California from 12:15 am to 12:45 am. (Case Number CBP-2014-043712.)
- On September 8, 2014, **Zain Shauk**, a representative with *Bloomberg News* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the boarding and Certification of Compliance inspection for the UNITED KALAVRYTA off the coast of Galveston, Texas on July 27, 2014. (Case Number USCG 2014-2980.)

Late requests

- On May 28, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of communication to or from CBP Commissioner Gil Kerlikowske and staff pertaining to the designation by President Obama of the Organ Mountains-Desert Peaks National Monument from January 1, 2013, through May 20, 2014. (Case Number CBP-2014-031359.)
- On June 17, 2014, **Laura Strickler**, a producer with **CBS News** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to status reports submitted to or prepared for the commissioner regarding corruption allegations against CBP employees from January 1, 2014, through June 15, 2014. (Case Number CBP-2014-032470.)
- On August 26, 2014, **Maria Perez**, a reporter with **Naples Daily News** in Naples, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the investigation of Waste Pro USA or Waste Pro of Florida in Fort Pierce, Florida, its managers, or its employees. (Case Number ICE 2014-ICFO-07001.)
- On August 28, 2014, **Walter F. Roche Jr.**, a freelance reporter in Lafayette Hill, Pennsylvania, requested from the United States Citizenship and Immigration (USCIS) records pertaining to the Great Texas Regional Center. (Case Number USCIS COW2014000601.)
- On September 2, 2014, **Michael Baker**, a reporter with **The Seattle Times** in Seattle, Washington, requested from the Federal Emergency Management Agency (FEMA) a log of all FEMA assistance requests pertaining to the Oso landslide (EM-3370), including the following information: (1) the date of the request; (2) the name and address of the requester; (3) the amount requested; (4) the purpose of the request; (5) the date the request was approved or denied; and (6) the status of the request. (Case Number FEMA 2014-FEFO-00927.)
- On September 3, 2014, **Stephen Braun**, a reporter with the **Associated Press** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to contracts and contract addenda regarding Contract Number GS-22F-9736H between ICE and U.S. Investigations Services, Inc. from August 17, 2007, through February 7, 2013. (Case Number ICE 2014-ICFO-06780.)

III. Freedom of Information Act Releases

- On September 4, 2014, the Department of Homeland Security (DHS) released to **Jason Smathers**, a representative with **MuckRock News** in Boston, Massachusetts, 1,700 pages of records consisting of e-mails, letters, and other communications from the DHS Center for Faith-based and Neighborhood Partnerships. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number 2014-HQFO-00278.)
- On September 8, 2014, U.S. Customs and Border Protection (CBP) released to **Paul Birmingham**, an investigator with **KVOA News** in Tucson, Arizona, one page of records consisting of a chart containing the total number of undocumented aliens apprehended on Fort Huachuca from fiscal years 2010 through 2014 (year

to date). Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-2014-001009.)

- On September 10, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Stephanie Stoughton**, an editor with *Bloomberg News* in Washington, DC, 412 pages of records consisting of complaint narratives pertaining to closed DHS-OIG investigations. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), 7(D), 7(E), and 7(F). (Case Number OIG 2012-091.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On September 5, 2014, U.S. Customs and Border Protection (CBP) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, 24 pages of records consisting of the Aircraft Mishap Report pertaining to the Predator B crash on January 27, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-AP-2014-023964.)
- On September 9, 2014, U.S. Customs and Border Protection (CBP) released to **Damien Cave**, a correspondent with *The New York Times* in Mexico City, Mexico, 282 pages of records consisting of a chart listing summary data for complaints filed against CBP personnel along the Southwest border. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number CBP-AP-2014-004993.)

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 September 5, 2014, ICE released its thirteenth supplemental release of 2,405 pages of Enforcement and Removal Operations detention facility compliance inspection reports.

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 September 11 - 17, 2014
Privacy Office
September 22, 2014
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 September 11, 2014, **Yezmin Thomas**, a video journalist with *KXTX Telemundo 39* in Fort Worth, Texas, requested from the Department of Homeland Security (DHS) statistical data of Deferred Action for Childhood Arrivals application denials in Texas from January 1, 2012, through the present. (Case Number 2014-HQFO-00797.)
- On September 11, 2014, **Fred Mamoun**, an executive producer with *WNBC News* in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to security breaches recorded in the Performance and Results Information System from January 1, 2008, through the present. (Case Number TSA 2014-TSFO-00572.)
- On September 12, 2014, **Lomi Kriel**, a reporter with the *Houston Chronicle Media Group* in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) a list of bidders for the Dilley Family Residential Center expansion; (2) the proposed price to the federal government for renting Sendero Ranch; (3) a copy of the contract between ICE and Sendero Ranch/Kootz McCombs and/or other parties to rent existing structures at 1925 West Highway 85, West Dilley, Texas; and (4) a list of the locations for all new family residential centers proposed by ICE for Texas from February 1, 2014, through the present. (Case Number ICE 2014-ICFO-07700.)
- On September 12, 2014, **Lomi Kriel**, a reporter with the *Houston Chronicle Media Group* in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of the current contract between ICE and Karnes County to run the Karnes County Residential Center. (Case Number ICE 2014-ICFO-07701.)
- On September 12, 2014, **Miki Meek**, a reporter with *This American Life* in New York, New York, requested from the Federal Emergency Management Agency (FEMA) records pertaining to federal grant applications submitted by the Miami Gardens Police Department under the Urban Security Initiative Grant Program from January 1, 2007, through the present. (Case Number FEMA 2014-FEFO-00940.)
- On September 12, 2014, **Matthew Sledge**, a representative with the *Huffington Post* in New York, New York, requested from the Department of Homeland Security (DHS) and the Federal Law Enforcement Training Centers (FLETC) the following records: (1) records pertaining to the protests in Ferguson, Missouri and protests elsewhere over the death of Michael Brown Jr.; and (2) records pertaining

to federal programs for equipping state and local law enforcement from August 9, 2014, through the present. (Case Numbers 2014-HQFO-00796 and FLETC FOIA 14-097.)

- On September 15, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to Vice President Joe Biden's visit to Guatemala City on June 20, 2014, and his meetings with Guatemalan President Otto Pérez Molina, Salvadoran President Salvador Sánchez Cerén, and high-ranking ministers from Honduras and Mexico to discuss ways to reduce unlawful immigration from Central America. (Case Number 2014-HQFO-00805.)
- On September 16, 2014, **Jose Magana-Salgado**, an attorney with the **Mexican American Legal Defense and Educational Fund** in Washington, DC, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to changes to the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008; (2) records pertaining to a policy, regulation, or rule for any agency regarding the potential expedited removal, ahead of others previously detained or in contact with the agency, of Central American unaccompanied minors or their families; (3) records pertaining to unaccompanied minor policies including correspondence to and from specific members of Congress and several named DHS officials; and (4) statistical data pertaining to the number of unaccompanied minors and/or family members traveling from Central American countries and the number of expedited removals completed or in process from January 1, 2010, through the present. (Case Number 2014-HQFO-00806.)
- On September 16, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to the incident on July 7, 2014, in which U.S. Customs and Border Protection (CBP) officers detained Iowa Boy Scouts and their leaders at a U.S./Canada border checkpoint. (Case Number OIG 2014-174.)
- On September 16, 2014, **Michael Stanton**, a journalist with **Q13 Fox** in Seattle, Washington, requested from the Transportation Security Administration (TSA) records pertaining to complaints received by TSA from passengers for the Seattle-Tacoma International Airport. (Case Number TSA 2014-TSFO-00578.)

Late requests

- On May 29, 2014, **Julia Angwin**, a reporter with **ProPublica** in New York, New York, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to admissions and denials to the U.S. for applicants whose records include information about mental health, suicide attempts, hospitalizations, or other information; and (2) records pertaining to the mental disorder provisions of the Immigration and Naturalization Act, section 212(a). (Case Number CBP-2014-028954.)
- On August 8, 2014, **Ryan Schill**, an editor with the **Juvenile Justice Information Exchange** in Kennesaw, Georgia, requested from U.S. Customs and Border Protection (CBP) a copy of surveillance footage from a camera mounted on the

U.S. border fence, which monitors activity in Nogales, Sonora, Mexico. (Case Number CBP-2014-041214.)

- On September 5, 2014, **Joanna Kao**, a reporter with *Al Jazeera America* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data pertaining to the number of individuals that were deported through Tijuana, Mexico over the last year. (Case Number ICE 2014-ICFO-07419.)
- On September 9, 2014, **Jason Buch**, a reporter with the *San Antonio Express-News* in San Antonio, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of contracts pertaining to the lease or purchase of land in Dilley, Texas for the operation or provision of services as an ICE detention center. (Case Number ICE 2014-ICFO-07420.)
- On September 9, 2014, **Jason Buch**, a reporter with the *San Antonio Express-News* in San Antonio, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of contracts pertaining to the operation or provision of services to the Karnes County Residential Center. (Case Number ICE 2014-ICFO-07475.)
- On September 9, 2014, **Carter Reese**, a representative with **America Rising LLC** in Arlington, Virginia, requested from the United States Citizenship and Immigration (USCIS) records of correspondence between the office of Congresswoman Cheri Bustos (D-IL) and CMB Regional Center in Rock Island, Illinois pertaining to the EB-5 program. (Case Number USCIS COW2014000613.)
- On September 9, 2014, **Jennifer Kay**, a reporter with the *Associated Press* in Miami, Florida, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to trips taken by USCIS Director Alejandro Mayorkas to Florida from January 1, 2012, through December 31, 2012, to meet with leaders of Florida's Haitian-American community. (Case Number USCIS COW2014000615.)
- On September 9, 2014, **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) the list of mission areas scheduled to have funds diverted to the apprehension of illegal immigrants as indicated in Secretary Jeh Johnson's August 7, 2014 press release. (Case Number 2014-HQFO-00791.)
- On September 9, 2014, **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) records pertaining to the number of flights to repatriate individuals back to Central America from January 1, 2013, through the present. (Case Number 2014-HQFO-00793.)
- On September 10, 2014, **Jennifer Kay**, a reporter with the *Associated Press* in Miami, Florida, requested from the Department of Homeland Security (DHS) records pertaining to 18 specific letters from Haitian-American community leaders and their supporters regarding the creation of a Haitian Family Reunification Parole Program by the U.S. government. (Case Number 2014-HQFO-00794.)

III. Freedom of Information Act Releases

- On September 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Faimon Roberts**, a reporter with *The New Orleans Advocate* in Denham Springs, Louisiana, 102 pages of records pertaining to the agreement between ICE and St. Tammany Parish Sheriff's Office that details the agreement under which ICE places illegal immigrants in the St. Tammany Parish Jail. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(C). (Case Number ICE 2013FOIA32956.)
- On September 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Davis Iaconangelo**, a journalist with the *Latin Times* in Brooklyn, New York, one Excel workbook pertaining to the transfer of detainees between ICE detention centers from January 1, 2009, through December 31, 2011. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA7680.)
- On September 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-Director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, three Excel spreadsheets containing anonymous case-by-case data on each individual who was served a form I-122 or I-221 or I-862 or I-863 in January 2014. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014FOIA09057.)
- On September 12, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Niels Frenzen**, a director with the **University of Southern California Gould School of Law Immigration Clinic** in Los Angeles, California, 38 pages of records and five Excel spreadsheets pertaining to ICE detainee deaths that occurred within six months after release from the Otay Detention Facility in San Diego, California. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA05618.)
- On September 12, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Scott MacFarlane**, reporter with *NBC4* in Washington, DC, eight photographs taken by OIG in the research and investigation for the July 30, 2014 memorandum titled "Oversight of Unaccompanied Alien Children." These records were released in full. (Case Number OIG 2014-149.)
- On September 16, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Rebecca Smith**, a staff reporter with *The Wall Street Journal* in San Francisco, California, 24 pages of records consisting of a slide presentation and records pertaining to a series of "Briefings on Physical Security of Electricity Substations" conducted by DHS and the Department of Energy. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number NPPD 2014-NPFO-00193.)
- On September 16, 2014, the United States Coast Guard (USCG) released to **Laura Oberle**, a representative with the *Island Packet/Beaufort Gazette* in Bluffton, South Carolina, 15 pages of records consisting of the case report

pertaining to the vessel HOBO that caught fire in the Port Royal Sound off of Hilton Head Island on July 19, 2014. These records were released in full. (Case Number USCG 2014-2531.)

- On September 16, 2014, the United States Coast Guard (USCG) released to **Sean Horgan**, a staff writer with the *Gloucester Daily Times* in Gloucester, Massachusetts, 84 pages of records consisting of boarding summaries and case reports pertaining to the vessel GRIM REAPER. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 7(A). (Case Number USCG 2014-2647.)
- On September 16, 2014, the United States Coast Guard (USCG) released to **Barb Ickes**, a reporter with *Quad-City Times* in Davenport, Iowa, 19 pages of records consisting of case reports and an inspection pertaining to Channel Cat Water Taxis. These records were released in full. (Case Number USCG 2014-2731.)
- On September 17, 2014, U.S. Customs and Border Protection (CBP) released to **Paul Sutliff**, a reporter with *Brenner Brief News* in Rochester, New York, three pages of records containing statistics pertaining to detentions of non-Canadians who crossed the northern border in fiscal years 2004 through 2013. These records were released in full. (Case Number CBP-2014-035665.)
- On September 17, 2014, the Transportation Security Administration (TSA) released to **Bill Trifiro**, a reporter and anchor with *24/7 News* in Roanoke, Virginia, 93 pages of records containing data pertaining to employees laid off, newly hired, and/or fired from January 1, 2013, through December 31, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number TSA 2013-TSFO-01531.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On September 16, 2014, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 393 pages of records and an audio recording pertaining to CBP's review of integrity and corruption issues. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), 7(E), and 7(F). (Case Number CBP-AP-2014-006025.)

VI. Litigation

- In the matter of *Poulsen v. Department of Homeland Security* (13-cv-00498), plaintiff filed a Freedom of Information Act request on February 4, 2013, seeking records pertaining to Aaron Swartz. Plaintiff filed suit on April 12, 2013, claiming the United States Secret Service (USSS) wrongfully withheld records from plaintiff by failing to comply with the statutory time limit for rendering a decision on plaintiff's appeal dated, March 1, 2013. On September 11, 2014, USSS released its nineteenth interim release of 533 pages of records.
- In the matter of *Detention Watch Network v. Department of Homeland Security, et al.* (S.D. N.Y.14-cv-00583), plaintiff filed a Freedom of Information Act request

on November 25, 2013, seeking records pertaining to the Detention Bed Mandate. Plaintiff filed suit claiming constructive denial, and sought a preliminary injunction to compel production. On September 15, 2014, the Department of Homeland Security (DHS) released 326 pages of records in its fourth interim response. On September 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 1,230 pages of detention facility contracts and related records. On September 15, 2014, DHS Office of Inspector General (OIG) released 92 pages of reports and memoranda in its second interim response.

- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 September 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 471 pages of e-mail records from the Philadelphia, San Antonio, Seattle, and Washington Field Offices.

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 September 18 - 24, 2014
Privacy Office
September 29, 2014
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 September 19, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Office of Detention Oversight-Detention Facility Compliance Inspections menu the 2014 inspection report for the Clinton County Correctional Facility (22 pages).
- On September 19, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library the Secure Communities Nationwide Interoperability Statistics-Year to Date Fiscal Year 2014 (58 pages).

II. Freedom of Information Act Requests

- On September 18, 2014, **Jose Munoz**, a reporter with *Univision Communications Inc.* in Miami, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) a copy and list of existing contracts ICE has with private correctional corporations; and (2) statistical data pertaining to the average number of days an individual is detained by ICE. (Case Number ICE 2014-ICFO-08227.)
- On September 18, 2014, **Murtaza Hussain**, a reporter with *The Intercept*, requested from the Department of Homeland Security (DHS) records pertaining to the training of DHS agents regarding relations with the Muslim-American community, and cultural training pertaining to Islam and Muslims generally. (Case Number 2014-HQFO-00816.)
- On September 18, 2014, **Jason Leopold**, a reporter with *VICE News* in Beverly Hills, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the final report or concluding record for investigations closed in 2013 and 2014 pertaining to misconduct. (Case Number OIG 2014-176.)
- On September 18, 2014, **Zachary Mider**, a reporter with *Bloomberg News* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to Solicitation Number HSCG30-13-Q-PCVD60. (Case Number USCG 2014-3102.)
- On September 18, 2014, **Kate Kilpatrick**, a journalist with *Al Jazeera America* in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the incident regarding the fatal shooting of Guillermo Arevalo Pedraza on September 3, 2012, in Nuevo Laredo, Tamaulipas, Mexico. (Case Number CBP-2014-045582.)
- On September 22, 2014, **Megan Blarr**, a producer with *WGRZ-TV* in Buffalo, New York, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to the missing Afghan soldiers who were found near the Canadian border on September 22, 2014; and (2) records

pertaining to any persons detained at the Rainbow Bridge, the Lewiston-Queenston Bridge, and the Peace Bridge within the past year. (Case Number CBP-2014-046060.)

- On September 22, 2014, **Will Tucker**, a journalist with the *Houston Chronicle* in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence between DHS Office of Legislative Affairs (OLA) and Congresswoman Sheila Jackson Lee (D-TX) and her staff from January 1, 2011, through the present. (Case Number 2014-HQFO-00821.)
- On September 22, 2014, **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the Obama administration's creation of new programs to reduce violence in Central America from April 1, 2014, through the present. (Case Number 2014-HQFO-00822.)
- On September 22, 2014, **Josh Margolin**, a reporter with *ABC News* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to incident reports and after-action reviews for security breaches at the White House from January 1, 2012, through the present. (Case Number USSS 20141035.)
- On September 22, 2014, **Deirdre Brown**, a representative with **Hoover Slovencek LLP** in Houston, Texas, requested from the United States Coast Guard (USCG) records pertaining to inspection reports for the A WHALE prior to its authorization to assist with the cleanup of the BP oil spill from April 1, 2010, through January 31, 2011. (Case Number USCG 2014-3129.)
- On September 22, 2014, **Bill Trifiro**, a reporter and anchor with *24/7 News* in Roanoke, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to employees laid off, newly hired, and/or fired from January 1, 2014, through the present. (Case Number TSA 2014-TSFO-00588.)
- On September 23, 2014, **Geoffrey Davidian**, a publisher and editor with the *Milwaukee Press* in Shorewood, Wisconsin, requested from the Transportation Security Administration (TSA) records pertaining to reports prepared and provided to Congress by TSA from January 1, 2011, through the present. (Case Number TSA 2014-TSFO-00590.)
- On September 23, 2014, **Anthony Cusumano**, an editor with *NBC 6 South Florida* in Miramar, Florida, requested from the United States Coast Guard (USCG) records pertaining to the discovery of four bodies located 20 miles off the coast of Hollywood Beach, Florida on August 24, 2014. (Case Number USCG 2014-3138.)
- On September 24, 2014, **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 any other services to President Obama and any of his companions on their August 2014 trip to Martha's Vineyard, Massachusetts. (Case Number USSS 20141036.)
- On September 24, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) the following records: (1) records pertaining to "Operation Moonlight" (Case Number USSS 20141037); and (2) records of communications to or from

(b)(6) regarding Michael Mulligan and/or Brenda Kay Allen King, possible subjects of "Operation Moonlight." (Case Numbers USSS 20141038 and USSS 20141039.)

Late requests

- On October 16, 2013, **Jesse Franzblau**, a policy analyst with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the incident regarding the fatal shooting of Jose Antonio Elena Rodriguez on October 10, 2012, near the border crossing in Nogales, Arizona. (Case Number CBP-2014-000966.)
- On March 19, 2014, **Jesse Franzblau**, a policy analyst with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the incident regarding the fatal shooting of Guillermo Arevalo Pedroza. (Case Number CBP-2014-023193.)
- On September 11, 2014, **Daniel Gonzalez**, a reporter with *The Arizona Republic* in Phoenix, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data pertaining to deportations regarding more than 3.2 million cases handled by ICE from January 1, 2004, through the present. (Case Number ICE 2014-ICFO-08259.)
- On September 12, 2014, **Joe Yerardi**, a reporter with *inewsourc*e in San Diego, California, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to responses to Part 11 of Form N-400 by applicants for citizenship in San Diego County from January 1, 2002, through December 31, 2013. (Case Number USCIS COW2014000623.)
- On September 17, 2014, **Forrest Carr**, a reporter with *Power Talk 1210* in Tucson, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) records of correspondence or reports authored by ICE Principal Deputy Assistant Secretary Thomas Winkowski, ICE Deputy Director Daniel Ragsdale, and ICE Chief of Staff Leonard Joseph pertaining to illegal immigration across the U.S. southern borders from July 1, 2014, through August 31, 2014. (Case Number ICE 2014-ICFO-08323.)

III. Freedom of Information Act Releases

- On September 18, 2014, the Department of Homeland Security (DHS) released to **Robert Westervelt**, an editor with *Computer Reseller News* in Framingham, Massachusetts, 10 pages of records consisting of congressional correspondence pertaining to cybersecurity. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00761.)
- On September 18, 2014, U.S. Customs and Border Protection (CBP) issued to **Ryan Schill**, an editor with *Juvenile Justice Information Exchange* in Kennesaw, Georgia, a full denial in response to his request seeking a copy of surveillance footage from a camera mounted on the U.S. border fence, which monitors activity in Nogales, Sonora, Mexico. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-041214.)

- On September 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Volpe**, a reporter with *Front Page Magazine* in Chicago, Illinois, 293 pages of records pertaining to the ICE Public Advocate's visits to Arizona, California, Oregon, and Washington. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2013FOIA15994.)
- On September 22, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **John Dyer**, a representative with **MuckRock News** in Boston, Massachusetts, nine pages of records consisting of complaint narratives on closed DHS-OIG investigations pertaining to use of force. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), and 7(C). (Case Number OIG 2014-084.)
- On September 23, 2014, the Transportation Security Administration (TSA) issued to **Marc Stewart**, a reporter with *KMGH-TV 7* in Denver, Colorado, a no records determination in response to his request seeking records pertaining to the number of passports and stolen/counterfeit documents that were confiscated from Denver International Airport from January 1, 2011, through the present. (Case Number TSA 2014-TSFO-00249.)
- On September 23, 2014, U.S. Customs and Border Protection (CBP) issued to **Jesse Franzblau**, a policy analyst with **The National Security Archive** in Washington, DC, a full denial in response to his request seeking records pertaining to the incident regarding the fatal shooting of Jose Antonio Elena Rodriguez on October 10, 2012, near the border crossing in Nogales, Arizona. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-000966.)
- On September 23, 2014, and September 24, 2014, U.S. Customs and Border Protection (CBP) issued to **Jesse Franzblau**, a policy analyst with **The National Security Archive** in Washington, DC, and **Kate Kilpatrick**, a journalist with *Al Jazeera America* in Brooklyn, New York, a full denial in response to their requests seeking records pertaining to the incident regarding the fatal shooting of Guillermo Arevalo Pedroza on September 3, 2012, in Nuevo Laredo, Tamaulipas, Mexico. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Numbers CBP-2014-023193 and CBP-2014-045582.)
- On September 24, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Scott MacFarlane**, a reporter with *NBC4* in Washington, DC, 59 pages of records consisting of congressional questions for the record associated with workflow number 1004798 pertaining to the congressional hearing titled "The Navy Yard Tragedy: Examining Physical Security for Federal Facilities." These records were released in full. (Case Number NPPD 2014-NPFO-00372.)
- On September 24, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Julia Angwin**, a reporter with *ProPublica* in New York, New York, 447 pages of records pertaining to the mental disorder provisions of the Immigration and Naturalization Act, section 212(a). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number USCIS.COW2014000360.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On September 19, 2014, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 15 pages of records consisting of a report of investigation pertaining to CBP Internal Affairs Case 2009-03207. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2014-045103.)

VI. Litigation

- NSTR

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 September 25 – October 1, 2014
Privacy Office
October 6, 2014
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:

- Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Contracts menu the South Texas Family Residential Center, City of Eloy, Intergovernmental Service Agreement Modification (168 pages).

II. Freedom of Information Act Requests

- On September 25, 2014, **Audrey Singer**, a senior fellow with **The Brookings Institution** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to individual level data for all applicants who submitted a Deferred Action for Childhood Arrivals application. (Case Number 2014-HQFO-00833.)
- On September 26, 2014, **Navideh Forghani**, a reporter with **KNXV** in Phoenix, Arizona requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to the investigation of Border Patrol agent (b)(6),(b)(7) (b)(6),(b)(7) and (2) a copy of his personnel file. (Case Number CBP-2014-046780.)
- On September 29, 2014, **Astrid Galvan**, a correspondent with the **Associated Press** in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to an internal investigation of Border Patrol agent (b)(6),(b)(7) (b)(6),(b)(7) regarding an incident on January 30, 2014, at the Nogales Border Patrol Station. (Case Number CBP-2014-047072.)
- On September 29, 2014, **Matthew Keys**, a journalist with **SacTown Media** in Vacaville, California, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to federal grant money used to purchase cell phone surveillance equipment from the Harris Corporation in Melbourne, Florida from January 1, 2005, through September 29, 2014. (Case Number FLETC FOIA 14-103.)
- On September 29, 2014, **Leslie Donaldson**, a reporter with **KTVU-TV** in Oakland, California, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records pertaining to the number of vehicles acquired by NPPD in 2012, including the number that were electric or hybrid. (Case Number NPPD 2015-NPFO-00001.)
- On September 30, 2014, **Michael Jaccarino**, a reporter with **The National Enquirer** in New York, New York, requested from the United States Secret Service (USSS) records pertaining to security breaches occurring on the White House grounds in which an individual or individuals were able to gain access to the grounds beyond the gated outer perimeter from January 1, 2001, through September 30, 2014. (Case Number USSS 20150001.)
- On September 30, 2014, **John Greenewald, Jr.** a freelance television producer with **The Black Vault** in Northridge, California, requested from the United States

Secret Service (USSS) records pertaining to a gunman who rode in the elevator with President Obama during his visit to the Centers for Disease Control and Prevention in Atlanta, Georgia on September 16, 2014. (Case Number USSS 20150003.)

- On October 1, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) a copy of the DHS September 10, 2014 report from Deputy Secretary Alejandro Mayorkas, with OIG, U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE), on specific steps being taken to further address the process for investigating cases of corruption and the plan to work as a unified DHS with the Federal Bureau of Investigation's Border Corruption Task Force to the Senate Committee on Appropriations for the 2014 DHS appropriations bill S. Rep No. 113-77 (July 18, 2013); and (2) records of correspondence between DHS and/or its components and the committee regarding the report. (Case Number OIG 2015-001.)

Late requests

- On April 29, 2013, **Michel Marizco**, a reporter with *KVOA News 4* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to reports produced by the Department of Homeland Security (DHS) regarding the murder of Border Patrol agent Robert Rosas, Jr., on July 23, 2009. (Case Number CBP-2013-011531.)
- On March 12, 2014, **Marty Jones**, a reporter with *Fortune* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of the 2004 ICE memorandum, which proposed that ICE "immediately implement and prioritize an investigative initiative targeting (initially) three of the most prolific/egregious suspect EB-5 promoters." (Case Number ICE 2014-ICFO-08974.)
- On April 4, 2014, **Robert Ortega**, a reporter with *The Arizona Republic* in Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to foreign military incursion reports for fiscal years 2009 through 2014 (April 1, 2014). (Case Number CBP-2014-020332.)
- On September 22, 2014, **Ken Bensinger**, a reporter with *BuzzFeed* in Los Angeles, California, requested from the United States Citizenship and Immigration (USCIS) records pertaining to applications, approvals, and denials regarding U and T visas from January 1, 2004, through the present. (Case Number USCIS COW2014000641.)
- On September 23, 2014, **Forrest Carr**, a reporter with *Power Talk 1210* in Tucson, Arizona, requested from the Department of Homeland Security (DHS) records of correspondence or reports authored by or sent to Secretary Jeh Johnson, Deputy Secretary Alejandro Mayorkas, and Chief of Staff Christian Marrone pertaining to illegal immigration across the U.S. southern borders in August 2014. (Case Number 2014-HQFO-00825.)
- On September 24, 2014, **David Moxley**, a chief executive officer with *America's Web Radio* in Sandy Springs, Georgia, requested from the Department of

Homeland Security (DHS) records pertaining to the placing of U.S. military veterans on the DHS list of potential domestic terrorists, the National Instant Criminal Background Check System list, and the no fly list. (Case Number 2014-HQFO-00830.)

- On September 24, 2014, **Joshua Smith**, a reporter with the *San Diego CityBeat* in San Diego, California, requested from the United States Citizenship and Immigration (USCIS) records pertaining to “safe addresses” and the status for all T-visa applications since the start of the program in 2008. (Case Number USCIS COW2014000653.)
- On September 24, 2014, **Sam Pearson**, a reporter with *Greenwire* in Washington, DC, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records of correspondence between the Infrastructure Security Compliance Division, Office of Infrastructure Protection, and Mississippi Phosphates Corporation from January 1, 2009, through the present. (Case Number NPPD 2014-NPFO-00491.)

III. Freedom of Information Act Releases

- On September 26, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Jacqueline Odum**, a research assistant with the **Center for American Progress** in Washington, DC, one Excel spreadsheet containing statistical data pertaining to O-IA and O-IB visa applications submitted to the California Service Center and Vermont Service Center from fiscal years 2009 through 2013. These records were released in full. (Case Number USCIS COW2014000564.)
- On September 26, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Perla Trevizo**, a reporter with the *Arizona Daily Star* in Tucson, Arizona, 42 pages of records pertaining to individuals released from ICE detention facilities in Arizona since February 20, 2013, due to federal budget reductions. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2013FOIA14653.)
- On September 26, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Cynthia Hsieh**, an individual in Lodi, California, one page of records containing statistical data pertaining to illegal immigrants detained at ICE detention facilities that were released from each state as a result of sequestration. These records were released in full. (Case Number ICE 2013FOIA14918.)
- On September 29, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Matthew Sledge**, a representative with the *Huffington Post* in New York, New York, five pages of records consisting of Federal Protective Service 3155 Reports pertaining to the protests in Ferguson, Missouri. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number NPPD 2014-NPFO-00471.)
- On September 29, 2014, U.S. Customs and Border Protection (CBP) issued to **Lori Gliha**, a reporter with *Al Jazeera America* in Washington, DC, a full denial in response to her request seeking a copy of dispatch recordings and recorded communications between Border Patrol Agent Nick Ivie and dispatchers, agents,

and anyone else with whom he communicated on the morning of October 2, 2012. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-045444.)

- On September 29, 2014, U.S. Customs and Border Protection (CBP) issued to **Navideh Forghani**, a reporter with *KNXV* in Phoenix, Arizona, a full denial in response to her request seeking the following records: (1) records pertaining to the investigation of Border Patrol Agent (b)(6),(b)(7)(C) and (2) a copy of his personnel file. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-046780.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Gonzalez**, a reporter with *The Arizona Republic* in Phoenix, Arizona, 18 pages of records consisting of e-mails between the office of Gary Meade, Director, ICE Office of Enforcement and Removal Operations and the interim director of ICE Office of Enforcement and Removal Operations in Phoenix, Arizona and/or former Department of Homeland Security (DHS) Secretary Janet Napolitano pertaining to the release of hundreds of immigration detainees as part of cost savings measures. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2013FOIA15068.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Gonzalez**, a reporter with the *The Arizona Republic* in Phoenix, Arizona, 21 pages of records and eight Excel spreadsheets pertaining to the identity, criminal history, and threat assessment for the 303 immigration detainees released by ICE Enforcement and Removal Operations from the Pinal County Adult Detention Center, the Florence Detention Center, the Eloy Detention Center, and the Central Arizona Detention Center as part of cost savings measures. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2013FOIA15069.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Tod Gohl**, an individual in Custer, South Dakota, one Excel workbook pertaining to the detainees released from ICE facilities from January 1, 2013, through March 1, 2013, in Georgia, California, Texas, and Arizona. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2013FOIA15650.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Navideh Forghani**, a reporter with *ABC15* in Phoenix, Arizona, one Excel spreadsheet pertaining to detainees released from ICE facilities from December 1, 2012, through February 27, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA15651.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Aubree Abril**, a reporter with the *Cronkite News Service* in Washington, DC, one page of records containing data on removals and returns of minors from Guatemala, El Salvador, and Honduras from 2008 through 2014. These records were released in full. (Case Number ICE 2014-ICFO-02061.)

- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jeremy White**, a reporter with the *Sacramento Bee* in Sacramento, California, one Excel workbook containing the number of detainers issued and honored in California from January 1, 2011, through June 30, 2014. These records were released in full. (Case Number ICE 2014-ICFO-02071.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Melanie Mason**, a reporter with the *Los Angeles Times* in Sacramento, California, 148 pages of records consisting of correspondence between ICE and Congressman Edward Royce (R-CA) or his office from January 3, 1993, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(E). (Case Number ICE 2014-ICFO-03296.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jason Buch**, a reporter with the *San Antonio Express-News* in San Antonio, Texas, one page of records pertaining to the number of alien juveniles removed from the U.S. by ICE for fiscal years 2011 through 2013. These records were released in full. (Case Number ICE 2014-ICFO-03320.)
- On September 29, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Sarah Rafique**, a reporter with the *Lubbock Avalanche-Journal* in Lubbock, Texas, one Excel workbook pertaining to deportations and apprehensions from January 1, 2009, through the present. These records were released in full. (Case Number ICE 2014-ICFO-04217.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Bill Allison**, a reporter with the **Sunlight Foundation Reporting Group** in Washington, DC, 298 pages of records consisting of correspondence to Gary Mead, Executive Associate Director of Enforcement and Removal Operations referencing the terms “sequester,” “sequestration,” or “budget cuts” from December 1, 2012, through February 27, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2013FOIA14688.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Mike Calrucci**, an individual in Plymouth, Massachusetts, one Excel workbook pertaining to the release of illegal aliens from ICE detention facilities since January 1, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA15125.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, 2,334 pages of records and four Excel spreadsheets pertaining to correspondence sent or received by former ICE Director John Morton or his staff from other offices, since January 1, 2013, referencing the sequester and the release of illegal aliens from ICE detention facilities. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA15342.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kate Bailey**, a Freedom of Information Act Program Manager with

Judicial Watch in Washington, DC, 495 pages of records and 18 Excel spreadsheets pertaining to records relied upon in preparing former ICE Director John Morton's statements regarding the release of ICE detainees due to budgetary restrictions. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2013FOIA16677.)

- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Heather Catallo**, a reporter with **WXYZ-TV** in Southfield, Michigan, 880 pages of records and 20 Excel workbooks pertaining to juvenile removals from May 1, 2013, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2013FOIA24784.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Tom Nash**, a reporter with **Muckrock News** in Boston, Massachusetts, 406 pages of records pertaining to the so-called Dream 9, who attempted to cross the U.S. Mexico border into Arizona on July 22, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2013FOIA27569.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jeanne Jeong**, a reporter with **Human Rights Watch** in Washington, DC, one Excel spreadsheet pertaining to the number of persons in removal proceedings as a result of Davidson County, Tennessee Secured Communities Program and the 287(g) program from April 1, 2007, through August 31, 2012. These records were released in full. (Case Number ICE 2014FOIA00959.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jesse Franzblau**, a representative with **The National Security Archive** in Washington, DC, 144 pages of records pertaining to former ICE Director John Morton's visit to Mexico from November 1, 2010, through November 4, 2010. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2014-ICFO-02608.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kate Bailey**, a Freedom of Information Act Program Manager with **Judicial Watch** in Washington, DC, 120 pages of records pertaining to the Enforcement and Removal Operations Field Office Juvenile Coordination meeting in Washington, DC, from February 25, 2014, through February 27, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014-ICFO-02806.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jesse Franzblau**, a representative with **The National Security Archive** in Washington, DC, nine pages of records pertaining to former ICE Director John Morton's visit to El Paso, Texas and Albuquerque, New Mexico from June 29, 2009, through July 1, 2009. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2014FOIA03506.)

- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Paul Lewis**, a reporter with *The Guardian* in Washington, DC, 21 pages of records consisting of a White House briefing and press clippings. These records were released in full. (Case Number ICE 2014FOIA11816.)
- On September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **William Marshall**, a representative with **Judicial Watch** in Washington, DC, 87 pages of records consisting of e-mails and memoranda from the Office of the Principal Deputy Assistant Secretary of ICE pertaining to the ICE policy of releasing detained undocumented immigrants at bus stations in the American southwest. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2014FOIA18570.)
- On September 30, 2014, U.S. Customs and Border Protection (CBP) issued to **Astrid Galvan**, a correspondent with the *Associated Press* in Tucson, Arizona, a full denial in response to her request seeking records pertaining to an internal investigation of Border Patrol agent (b)(6),(b)(7)(C) regarding an incident on January 30, 2014, at the Nogales Border Patrol Station. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-047072.)
- On September 30, 2014, the Department of Homeland Security (DHS) issued to **Jack Gillum**, a reporter with the *Associated Press* in Washington, DC, and **Robert Levin**, a representative with the **Landmark Legal Foundation** in Leesburg, Virginia, a no records determination in response to their requests seeking records pertaining to e-mail addresses and accounts for political appointees, Senior Executive Service officials, and other employees located at the DHS headquarters offices in Washington, DC. (Case Numbers 2013-HQFO-00483 and 2013-HQFO-00830.)

IV. Freedom of Information Act Appeals

- On September 29, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, appealed U.S. Customs and Border Protection's (CBP) failure to respond to his request seeking a copy of the Section 501 report on airspace restrictions for use of unmanned aerial vehicles along the border of the U.S. and Mexico. (Case Number CBP-AP-2014-046953.)

V. Freedom of Information Act Appeals Releases

- On September 29, 2014, U.S. Customs and Border Protection (CBP) released to **Rachel Bale**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 35 pages of records consisting of one Excel spreadsheet pertaining to administrative tort claims filed against U.S. Border Patrol agents. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number CBP-AP-2014-26764.)
- On September 30, 2014, U.S. Customs and Border Protection (CBP) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, 15 pages of records consisting of a November 19, 2004 feasibility study titled "Preliminary Unmanned Aerial Vehicle Feasibility Results for

Arizona Border Control Initiative.” Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(E). (Case Number CBP-AP-2014-033252.)

VI. Litigation

- In the matter of *Stevens v. Department of Homeland Security* (N.D. Ill. 14-cv-03305), plaintiff filed four Freedom of Information Act requests in fiscal years 2013 through 2014 seeking records pertaining to staffing plans at U.S. Immigration and Customs Enforcement (ICE) detention facilities, detainee grievances, and the voluntary work program for ICE detainees. Plaintiff filed suit on May 6, 2014, claiming constructive denial on all four Freedom of Information Act requests. On September 25, 2014, ICE released its second interim release of 500 pages of detainee grievance forms from the Stewart Detention Center.
- In the matter of *American Immigration Council v Department of Homeland Security* (D.D.C. 12-cv-00856), plaintiffs filed a Freedom of Information Act on March 14, 2011, seeking records pertaining to an alien’s right to have counsel present during interactions with U.S. Immigration and Customs Enforcement (ICE). Plaintiffs filed suit on May 31, 2012, claiming constructive denial. On September 25, 2014, ICE released its first supplemental release of 77 pages of policy records located by the Atlanta, Boston, and St. Paul Field Offices.
- In the matter of *Poulsen v. Department of Homeland Security* (13-cv-00498), plaintiff filed a Freedom of Information Act request on February 4, 2013, seeking records pertaining to Aaron Swartz. Plaintiff filed suit on April 12, 2013, claiming the United States Secret Service (USSS) wrongfully withheld records from plaintiff by failing to comply with the statutory time limit for rendering a decision on plaintiff’s appeal dated, March 1, 2013. On September 26, 2014, USSS released its twentieth interim release of 31 pages of records.
- In the matter of *Judicial Watch, Inc. v. Department of Homeland Security* (D.D.C. 14-cv-01237), plaintiff filed a Freedom of Information Act on May 15, 2014, seeking records of communication to or from personnel in the U.S. Immigration and Customs Enforcement (ICE) Office of the Principal Deputy Assistant Secretary from May 1, 2014, through May 15, 2014, pertaining to a report published by the Center for Immigration Studies regarding the release of 36,000 criminal aliens. Plaintiff filed suit on July 21, 2014, claiming constructive denial. On September 30, 2014, ICE released its first interim release consisting of 141 pages of records from the front office.
- In the matter of *Conti v. Department of Homeland Security* (S.D.N.Y. 12-cv-5827), plaintiff, a former U.S. Immigration and Customs Enforcement (ICE) employee, filed a Freedom of Information Act request on April 12, 2011, seeking records pertaining to several investigations initiated based on complaints he made against other employees, as well as records of investigations pertaining to him. Plaintiff appealed ICE’s response, and the appeal was granted, with a supplemental search ordered. Plaintiff filed suit on July 30, 2012, claiming constructive denial. On October 1, 2014, ICE released a supplemental release of 38 pages of Joint Integrity Case Management System screenshots pertaining to

investigations into Mr. Conti, located pursuant to a search of the Office of Professional Responsibility.

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 October 2 - 8, 2014

Privacy Office

October 14, 2014

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 September 30, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library the June 2014 Office of Detention Oversight Compliance Inspection Report for the Howard County Detention Center (30 pages).

II. Freedom of Information Act Requests

- On October 2, 2014, and October 3, 2014, **Rich Gardella**, a reporter and producer with *NBC News* in Washington, DC, requested from the United States Secret Service (USSS) the following records pertaining to the incident on September 19, 2014, in which Omar Gonzalez breached the White House fence and was arrested inside of the White House: (1) a copy of the videos (Case Number USSS 20150020); and (2) a copy of the radio communications or other audio communications. (Case Number USSS 20150022.)
- On October 2, 2014, **Joshua Gaynor**, a producer with *CNN* in Washington, DC, requested from the United States Secret Service (USSS) a copy of the elevator footage pertaining to President Obama's visit to the Centers for Disease Control and Prevention Headquarters in Atlanta, Georgia on September 16, 2014. (Case Number USSS 20150021.)
- On October 2, 2014, **Todd Feathers**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to individuals or organizations that applied to participate in FLETC programs but were rejected, from January 1, 2014, through the present. (Case Number FLETC FOIA 15-001.)
- On October 2, 2014, **Runa Sandvik**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to the creation of the "TSA Randomizer" iOS app. (Case Number TSA 2015-TSFO-00001.)
- On October 2, 2014, **Matt Saincome**, a representative with *VICE News*, requested from the United States Coast Guard (USCG) records pertaining to bodies that were found floating in the Bay Area in the last 10 years. (Case Number USCG 2015-CGFO-00035.)
- On October 2, 2014, **Rachel Morris**, a representative with the **Electronic Privacy Information Center** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the development and implementation of Z Backscatter Vans or similar technology since 2011. (Case Number 2015-HQFO-00007.)
- On October 6, 2014, **Abraham Payton**, a representative with **American Bridge 21st Century** in Washington, DC, requested from the Department of Homeland

Security (DHS) records of correspondence between the DHS Secretary, the Deputy Secretary, the Chief of Staff, the Assistant Secretary of Policy, and the following public officials: (1) Governor Chris Christie (R-NJ); (2) Governor Scott Walker (R-FL); (3) Senator Rand Paul (R-KY); (4) former Governor Jeb Bush (R-FL); (5) Senator Marco Rubio (R-FL); (6) Senator Ted Cruz (R-TX); (7) Governor Mike Pence (R-IN); (8) Congressman Paul Ryan (R-WI); (9) Governor Rick Perry (R-TX); (10) Governor John Kasich (R-OH); (11) Governor Bobby Jindal (R-LA); (12) Senator Mark Kirk (R-IL); (13) Senator Kelly Ayotte (R-NH); (14) Senator Richard Burr (R-NC); (15) Senator Rob Portman (R-OH); (16) Senator Pat Toomey (R-PA); and (17) Senator Ron Johnson (R-WI). (Case Number 2015-HQFO-00013.)

Late requests

- On September 15, 2014, **Justin Cox**, an attorney with the **American Civil Liberties Union Foundation** in Atlanta, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to guidance issued since January 1, 2014, regarding ICE Policy Number 10029.2 and/or the October 24, 2011 memorandum issued by former ICE Director John Morton titled “Enforcement Actions at or Focused on Sensitive Locations.” (Case Number ICE 2014-ICFO-09299.)
- On September 17, 2014, **Robert O’Harrow**, a reporter with *The Washington Post* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to a grant used for the training curriculum of Desert Snow LLC in 2004. (Case Number ICE 2015-ICFO-00941.)
- On September 18, 2014, **Jose Munoz**, a fellow with *Univision Communications Inc.* in Miami, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) records pertaining to undocumented immigrants released from ICE detention with GPS ankle monitors; and (2) records pertaining to Intensive Supervision Appearance Programs. (Case Number ICE 2015-ICFO-00146.)
- On September 25, 2014, **Janelle O’Dea**, a reporter with the *Craig Daily Press* in Craig, Colorado, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the contract between ICE and the Moffat County Sheriff’s Office regarding holding inmates at the Moffat County Jail at the request of ICE. (Case Number ICE 2015-ICFO-00764.)
- On September 29, 2014, **L. Jazmine Ulloa**, a reporter with the *Austin American-Statesman* in Austin, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to detention facilities in Texas that currently contract or hold agreements with ICE to detain immigrants who have illegally crossed the Southwest border. (Case Number ICE 2015-ICFO-00927.)
- On October 1, 2014, **Will Rabbe**, a producer with *MSNBC*, and **Laura Bernardini**, a producer with *CNN* in Washington, DC, requested from the United States Secret Service (USSS) a copy of the videos pertaining to the incident on September 19, 2014, in which Omar Gonzalez breached the White House fence and was arrested inside of the White House. (Case Numbers USSS 20150017 and USSS 20150019.)

- On October 1, 2014, **Duff Wilson**, a reporter and associate editor with *Reuters* in New York, New York, requested from the Federal Emergency Management Agency (FEMA) records of correspondence to FEMA from members of Congress or their staff, or from the New York governor or his office, pertaining to the change, proposed change, clarification, or definitions shown in FEMA Mitigation Policy FP 204-078-112-1, from January 1, 2014, through the present. (Case Number FEMA 2015-FEFO-00005.)

III. Freedom of Information Act Releases

- On October 2, 2014, the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) released to **Sylvia Carignan**, a staff writer with the *Frederick News-Post* in Fredrick, Maryland, 153 pages of records pertaining to laboratory mishaps originating at the National Biodefense Analysis and Countermeasures Center. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3, 5, 6, and 7(F). (Case Number S&T 2014-STFO-067.)
- On October 3, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Brody Mullins**, a representative with *The Wall Street Journal* in Washington, DC, 1,868 pages of records consisting of the daily schedule or calendar of Alejandro Mayorkas during his tenure at USCIS from August 13, 2009, through December 23, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2014000420.)
- On October 7, 2014, U.S. Customs and Border Protection (CBP) released to **Jennifer Janisch**, a producer with *CBS News* in New York, New York, five photos pertaining to the interiors of CBP detention centers housing Central American unaccompanied alien minors from January 1, 2014, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-2014-031947.)
- On October 7, 2014, the United States Coast Guard (USCG) released to **Linzi Sheldon**, a reporter with *KIRO-TV* in Seattle, Washington, 91 pages of records consisting of vessel inspections, drawings, and photographs pertaining to ferry inspections for Washington State Department of Transportation's fleet of ferries. These records were released in full. (Case Number USCG 2014-2628.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 October 7, 2014, ICE released its fourteenth supplemental release of 1,257 pages of Enforcement and Removal Operations detention facility inspection reports.

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 October 9 - 15, 2014
Privacy Office
October 20, 2014
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 October 9, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room the Freedom of Information Act Logs for the Third Quarter of Calendar Year 2014 (three pages).
- On October 9, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room the Congressional Correspondence Logs for the Third Quarter of Calendar Year 2014 (one page).
- On October 15, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Office of Detention Oversight-Detention Facility Compliance Inspections menu 2014 inspection reports for the following facilities: (1) Tulsa County Jail (26 pages); and Yuba County Jail (23 pages).

II. Freedom of Information Act Requests

- On October 9, 2014, **David Montgomery**, a reporter with *The Washington Post* in Washington, DC, requested from the United States Secret Service (USSS) the following records: (1) records pertaining to the USSS Use of Force Policy, including circumstances involving a suspect in a moving vehicle (Case Number USSS 20150048); and (2) records pertaining to the USSS review of agents' actions and response to the incident involving Miriam Carey on October 3, 2013. (Case Number USSS 20150049.)
- On October 9, 2014, **Todd Feathers**, a representative with the *Boston Globe* in Boston, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to Ebola detection training material given to TSA agents or other agency representatives responsible for screening passengers for the virus at the following airports: (1) John F. Kennedy International Airport; (2) Newark Liberty International Airport; (3) Washington Dulles International Airport; (4) Chicago O'Hare International Airport; and/or (5) Hartsfield-Jackson Atlanta International Airport. (Case Number TSA 2015-TSFO-00012.)
- On October 10, 2014, **Hugh Handeyside**, a representative with the **American Civil Liberties Union** in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to behavior detection activities and programs during the period in which the Screening of Passengers by Observation Techniques has been deployed at U.S. airports. (Case Number TSA 2015-TSFO-00014.)

- On October 10, 2014, **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) a copy of e-mails former Acting Inspector General Charles Edwards sent to or received by a named third party; and (2) a copy of e-mails sent or received by Mr. Edwards containing the names of two third parties, from April 1, 2012, through January 1, 2014. (Case Number OIG 2015-008.)
- On October 14, 2014, **Josh Gerstein**, a reporter with *Politico* in Arlington, Virginia, requested from the United States Secret Service (USSS) records pertaining to allegations involving uninvited guests who attended the White House State Dinner on November 24, 2009. (Case Number USSS 20150055.)
- On October 15, 2014, **John Greenwald**, a freelance television producer with **The Black Vault** in Northridge, California, requested from the Department of Homeland Security (DHS) a copy of e-mails sent to or from DHS Secretary Jeh Johnson and/or Deputy Secretary Alejandro Mayorkas with the keyword “EBOLA” in the subject line or the body of the e-mail from July 1, 2014, through the present. (Case Number 2015-HQFO-00019.)

Late requests

- On September 19, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) records pertaining to a directive issued to ICE employees on or after August 29, 2014, not to communicate with media regarding Islamic extremists crossing the U.S. Southwest border and threatening punitive measures to employees who discuss such issues with the media; and (2) records of communication from August 29, 2014, through the present to or from officials or employees within the ICE Homeland Security Investigations directorate containing the terms “Judicial Watch” or “Beto O'Rourke.” (Case Number ICE 2015-ICFO-01491.)
- On September 24, 2014, **Christina Vazquez**, a journalist with **WPLG Local 10** in Pembroke Park, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to a minor ingesting heroin capsules at Fort Lauderdale-Hollywood International Airport. (Case Number CBP-2014-046336.)

III. Freedom of Information Act Releases

- On October 9, 2014, U.S. Customs and Border Protection (CBP) issued to **Christina Vazquez**, a journalist with **WPLG Local 10** in Pembroke Park, Florida, a full denial in response to her request seeking records pertaining to a minor ingesting heroin capsules at Fort Lauderdale-Hollywood International Airport. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-046336.)
- On October 9, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) issued to **William Marshall**, a representative with **Judicial Watch** in Washington, DC, a no records determination in response to his request seeking records pertaining to U.S. locations to where unaccompanied

alien children would be transported, relocated, and/or resettled. (Case Number OIG 2014-155.)

- On October 15, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Jason Leopold**, a reporter with *VICE News* in Venice, California, 11 pages of records consisting of a narrative listing of investigations closed in 2013 and 2014 pertaining to misconduct. These records were released in full. (Case Number OIG 2014-176.)
- On October 15, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) issued to **Chuck Ross**, a reporter with *The Daily Caller* in Wichita, Kansas, a full denial in response to his request seeking the following records: (1) a copy of e-mails former Acting Inspector General Charles Edwards sent to or received by a named third party; and (2) a copy of e-mails sent or received by Mr. Edwards containing the names of two third parties, from April 1, 2012, through January 1, 2014. These records were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2015-008.)
- On October 15, 2014, the Department of Homeland Security (DHS) issued to **Audrey Singer**, a senior fellow with **The Brookings Institution** in Washington, DC, a full denial in response to her request seeking records pertaining to individual level data for all applicants who submitted a Deferred Action for Childhood Arrivals application. These records were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00833.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Judicial Watch, Inc. v. Department of Homeland Security* (D.D.C. 14-cv-01179), plaintiff filed a Freedom of Information Act request on March 10, 2014, seeking records pertaining to passenger complaint forms, memoranda, and incident reports filed in 2013 at the following airports: (1) Washington Dulles International Airport; (2) Chicago O'Hare International Airport; (3) Denver International Airport; (4) Miami International Airport; and (5) Los Angeles International Airport. Plaintiff filed suit on July 11, 2014, claiming constructive denial. On October 9, 2014, the Transportation Security Administration (TSA) released 56 pages of records.
- In the matter of *Detention Watch Network v. Department of Homeland Security, et al.* (S.D. N.Y. 14-cv-00583), plaintiff filed a Freedom of Information Act request on November 25, 2013, seeking records pertaining to the Detention Bed Mandate. Plaintiff filed suit claiming constructive denial, and sought a preliminary injunction to compel production. On October 15, 2014, the Department of Homeland Security (DHS) released 565 pages of records in its fifth interim response. On October 15, 2014, U.S. Immigration and Customs Enforcement

(ICE) released 1,385 pages of detention facility contracts and related records. On October 15, 2014, DHS Office of Inspector General (OIG) released 12 pages of reports and memoranda in its third interim response.

- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 October 15, 2014, U.S. Immigration and Customs Enforcement (ICE) released 446 pages of e-mail records from the Philadelphia Field Office.

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 October 16 - 22, 2014

Privacy Office

October 27, 2014

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 October 16, 2014, **Sean Dunagan**, an investigator with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the potential threat posed by a member or members of a terrorist organization and/or an individual actor motivated by sympathies for a terrorist organization entering the U.S. via the Southwest border from July 1, 2014, through the present. (Case Number CBP-2015-002079.)
- On October 16, 2014, **Ben Powell**, a reporter with **WECT News** in Wilmington, North Carolina, requested from the United States Coast Guard (USCG) records pertaining to the Bald Head Island Adventure ferry grounding accident on December 17, 2013. (Case Number USCG 2015-CGFO-00123.)
- On October 17, 2014, **Ron Regan**, a reporter with **WEWS NewsChannel 5** in Cleveland, Ohio, requested from the Transportation Security Administration (TSA) a copy of security videos which shows passenger (b)(6) at Cleveland Hopkins International Airport on October 13, 2014, from 2:30 pm through 6:35 pm. (Case Number TSA 2015-TSFO-00022.)
- On October 17, 2014, **Jason Leopold**, a reporter with **VICE News** in Venice, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the reports of investigation for 23 specified United States Secret Service (USSS) investigations. (Case Number OIG 2015-013.)
- On October 18, 2014, **Karen Savage**, a representative with the **Life Support Project** in Roxbury, Massachusetts, requested from the United States Coast Guard (USCG) the following records: (1) records of correspondence between the USCG and Chemrisk and its employees pertaining to human health effects after the explosion of BP's Deepwater Horizon from April 19, 2010, through the present; and (2) records pertaining to USCG members who experienced health impacts while working along the Gulf Coast during and after the cleanup operations. (Case Number USCG 2015-CGFO-00132.)
- On October 20, 2014, **Carla Allen**, a reporter with the **Yarmouth Vanguard** in Yarmouth, Nova Scotia, requested from the United States Coast Guard (USCG) records pertaining to the investigation report regarding the death of a crew member aboard the NOVA STAR ferry on October 13, 2014. (Case Number USCG 2015-CGFO-00148.)
- On October 20, 2014, **Jessica Summers**, a reporter with **Bloomberg First Word Oil** in New York, New York, requested from the United States Coast Guard

(USCG) records from the National Response Center for the following companies: (1) BP; (2) Phillips 66; (3) Valero; (4) Tesoro; (5) Motiva; (6) Exxon; and (7) Marathon from October 13, 2014, through the present. (Case Number USCG 2015-CGFO-00152.)

- On October 20, 2014, **Adam Wagner**, a representative with *Star News Media* in Wilmington, North Carolina, requested from the United States Coast Guard (USCG) records pertaining to investigation reports regarding the grounding of ADVENTURE in the vicinity of Battery Island near Southpoint, North Carolina on December 17, 2013. (Case Number USCG 2015-CGFO-00157.)
- On October 20, 2014, **Lynn Walsh**, a producer with *NBC 7 News-San Diego* in San Diego, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a list of closed investigations in the San Diego, California area from January 1, 2014, through the present. (Case Number OIG 2015-014.)
- On October 20, 2014, **Tom Burton**, a reporter with *The Wall Street Journal* in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) and the National Protection and Programs Directorate (NPPD) records pertaining to the planning for Ebola outbreaks and dangers from June 1, 2014, through the present. (Case Numbers OIG 2015-015 and NPPD 2015-NPFO-00019.)
- On October 20, 2014, **Melanie West**, a reporter with *The Wall Street Journal* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the daily totals for the number of people who have been subject to an enhanced Ebola screening at the following airports: (1) John F. Kennedy International Airport and Newark Liberty International Airport from October 11, 2014, through October 20, 2014; and (2) Washington Dulles International Airport, Chicago O'Hare International Airport, and Hartsfield-Jackson Atlanta International Airport from October 16, 2014, through October 20, 2014. (Case Number CBP-2015-002423.)
- On October 21, 2014, **Clara Long**, a researcher with **Human Rights Watch** in New York, New York, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to the training procedures and application of the screening process required pursuant to the Trafficking Victims Protection Reauthorization Act of 2008; (2) records pertaining to forms used to screen unaccompanied alien children; (3) data regarding training implementation; and (4) data regarding unaccompanied alien children apprehended by CBP. (Case Number CBP-2015-002611.)
- On October 21, 2014, **Rene Marsh**, a correspondent with *CNN* in Washington, DC, requested from the Transportation Security Administration (TSA) a copy of airport video footage which shows the routine pat down conducted on (b)(6) (b)(6) at Cleveland Hopkins International Airport on October 13, 2014. (Case Number TSA 2015-TSFO-00026.)
- On October 21, 2014, **Patricia Alulema**, a representative with *CBS News* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to travel expenses for USSS agents offering protection to former President Bill Clinton for the following dates and cities: (1) April 10, 2014, in

Philadelphia, Pennsylvania (Case Number USSS 20150090); (2) May 3, 2014, in Little Rock, Arkansas (Case Number USSS 20150091); (3) May 13, 2014, in Potomac, Maryland (Case Number USSS 20150092); (4) June 16, 2014, in New York, New York (Case Number USSS 20150093); (5) June 20, 2014, in Chicago, Illinois (Case Number USSS 20150094); (6) June 27, 2014, in Miami, Florida (Case Number USSS 20150095); (7) August 6, 2014, in Hazard, Kentucky (Case Number USSS 20150096); (8) August 27, 2014, in New York, New York (Case Number USSS 20150097); (9) September 2, 2014, in New Haven, Connecticut (Case Number USSS 20150098); (10) September 13, 2014, in Atlanta, Georgia (Case Number USSS 20150099); (11) September 16, 2014, in Scottsdale, Arizona (Case Number USSS 20150100); (12) September 27, 2014, in Denver, Colorado (Case Number USSS 20150101); and (13) September 30, 2014, in Chapel Hill, North Carolina. (Case Number USSS 20150102.)

Late requests

- On September 19, 2014, **Daniel Golden**, a representative with *Bloomberg News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the case of University of South Florida (b)(6) from July 1, 2009, through January 1, 2012. (Case Number ICE 2015-ICFO-01033.)
- On October 6, 2014, **Mark Wilson**, a writer with *Fast Company* in Chicago, Illinois, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the contract and records of communication between the project leads at USCIS and IDEO for the following contracts: (1) HSSCCG-12-F-00200 (Case Number USCIS CNT2014000025) and (2) HSSCCG-14-F-00242 from May 1, 2013, through the present. (Case Number USCIS CNT2014000026.)
- On October 8, 2014, **Raymond Bolger**, an editor with *Tech Wire Media* in West River, Maryland, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the ICE Operation Devil Horns Investigation of the MS-13 gang in San Francisco from January 1, 2005, through December 31, 2008. (Case Number ICE 2015-ICFO-02289.)
- On October 8, 2014, **Ginger McCall**, Director, Open Government with the **Electronic Privacy Information Center** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) records pertaining to reports from the Black Asphalt Electronic Networking & Notification System; and (2) records pertaining to ICE guidelines, memoranda, and privacy policies on the use of Black Asphalt reports. (Case Number ICE 2015-ICFO-02400.)
- On October 8, 2014, **Sharita Gruberg**, a policy analyst with the **Center for American Progress** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Risk Classification Assessments for lesbian, gay, bisexual, and transgender immigrants from October 1, 2013, through the present. (Case Number ICE 2015-ICFO-03143.)
- On October 13, 2014, **Ian Gordon**, an editor with *Mother Jones* in San Francisco, California, requested from U.S. Immigration and Customs

Enforcement (ICE) a list of detainee deaths in ICE custody, including various fields of information. (Case Number ICE 2015-ICFO-02904.)

- On October 13, 2014, **Stuart Anderson**, a director with the **National Foundation for American Policy** in Arlington, Virginia, requested from the United States Citizenship and Immigration Services (USCIS) statistical data pertaining to the number of L-1B petitions received, approved, and denied, and the number of L-1B petitions for which a Request for Evidence was issued for fiscal years 2012 through 2014. (Case Number USCIS COW2014000704.)
- On October 14, 2014, **Jessica Summers**, a reporter with **Bloomberg First Word Oil** in New York, New York, requested from the United States Coast Guard (USCG) records from the National Response Center for the following companies: (1) BP; (2) Phillips 66; (3) Valero; (4) Tesoro; (5) Motiva; (6) Exxon; and (7) Marathon from October 6, 2014, through the present. (Case Number USCG 2015-CGFO-00112.)

III. Freedom of Information Act Releases

- On October 10, 2014, the Federal Emergency Management Agency (FEMA) released to **Wendy Ruderman**, a reporter with **The New York Times** in New York, New York, 30 pages of records consisting of e-mails, grant awards, and grant applications pertaining to a pilot facial recognition program to be launched by the New York Metropolitan Transportation Authority in conjunction with the New York City Police Department on subway turnstiles at 42nd Street and 34th Street. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(E). (Case Number FEMA 2013-FEFO-00036.)
- On October 20, 2014, the Federal Law Enforcement Training Centers (FLETC) released to **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, 57 pages of records consisting of memoranda pertaining to the Residential Detention Facility located at FLETC in Artesia, New Mexico. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number FLETC FOIA 14-092.)
- On October 21, 2014, the Federal Law Enforcement Training Centers (FLETC) released to **Matthew Sledge**, a representative with the **Huffington Post** in New York, New York, 113 pages of records consisting of e-mails, statements, talking points, and panel questions and answers pertaining to the following: (1) the protests in Ferguson, Missouri and protests elsewhere over the death of Michael Brown Jr.; and (2) federal programs for equipping state and local law enforcement from August 9, 2014, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number FLETC FOIA 14-097.)
- On October 21, 2014, U.S. Customs and Border Protection (CBP) released to **Brian Bennett**, a reporter with the **Los Angeles Times** in Washington, DC, 28 pages of records consisting of incident reports pertaining to shootings on June 7, 2010, September 3, 2012, October 10, 2012, and September 28, 2012. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2014-017671.)

IV. Freedom of Information Act Appeals

- On October 16, 2014, **Jeff Elder**, a reporter with *The Wall Street Journal* in San Francisco, California, appealed the United States Coast Guard's (USCG) response to his request seeking records pertaining to the Google barges BAL0001, BAL0010, BAL0011, and BAL0100 in the San Francisco Bay, California waterfront. The requester is contesting the use of Freedom of Information Act Exemption 6. (Case Number USCG 2015-CGAP-00008.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On October 21, 2014, ICE released the seventh production of 968 pages of sample Post Order Custody Review 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 Activity for the Week of October 23 - 29, 2014

Privacy Office

November 3, 2014

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 October 23, 2014, **Jason Leopold**, a reporter with *VICE News* in Venice, California, requested from the Federal Emergency Management Agency (FEMA) records pertaining to contingency plans for an Ebola outbreak. (Case Number FEMA 2015-FEFO-00060.)
- On October 24, 2014, **Jillian Melchior**, a Franklin Center Fellow with the *National Review* in New York, New York, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the DHS-OIG case file database for closed investigations pertaining to the United States Secret Service (USSS) for the most recent fiscal year. (Case Number OIG 2015-020.)
- On October 24, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the database of possible excessive use of force allegations underlying DHS-OIG report OIG 13-114 titled, “CBP Use of Force Training and Actions To Address Use of Force Incidents.” (Case Number OIG 2015-021.)
- On October 27, 2014, **Jim McElhatton**, a representative with *The Washington Times* in Alexandria, Virginia, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the final reports for 10 closed investigations pertaining to the United States Secret Service (USSS). (Case Number OIG 2015-022.)
- On October 27, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) records pertaining to a DHS-OIG investigation into allegations that a third party engaged a prostitute in Cartagena; and (2) a copy of e-mails to or from DHS-OIG personnel pertaining to the aforementioned investigation into the third party, from April 4, 2012, through the present. (Case Number OIG 2015-023.)
- On October 27, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to the segregation of detainees held by U.S. Immigration and Customs Enforcement (ICE) and/or Enforcement and Removal Operations. (Case Number OIG 2015-025.)

- On October 27, 2014, **Michael Kunzelman**, a reporter with the *Associated Press* in Baton Rouge, Louisiana, requested from the Federal Emergency Management Agency (FEMA) records pertaining to recoupment efforts for disaster assistance funds regarding Hurricane Sandy in 2012. (Case Number FEMA 2015-FEFO-00069.)
- On October 27, 2014, **Jessica Summers**, a reporter with *Bloomberg First Word Oil* in New York, New York, requested from the United States Coast Guard (USCG) records from the National Response Center for the following companies: (1) BP; (2) Phillips 66; (3) Valero; (4) Tesoro; (5) Motiva; (6) Exxon; and (7) Marathon from October 20, 2014, through the present. (Case Number USCG 2015-CGFO-00227.)
- On October 28, 2014, **Matthew Schwartz**, a reporter with *KVOA-TV* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) a copy of e-mails sent from the highest ranking agent in the Tucson sector on April 1, 2014, and October 7, 2014. (Case Number CBP-2015-003795.)
- On October 29, 2014, **Joshua Eaton**, a representative with *MuckRock News* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to (b)(6) also known as (b)(6) from January 1, 1989, through October 19, 2014. (Case Number TSA 2015-TSFO-00043.)

Late requests

- On September 30, 2014, **Erin Siegal**, a journalist with *Univision* in San Ysidro, California, requested from the United States Coast Guard (USCG) statistical data pertaining to servicemembers who were not naturalized during their service, from January 1, 1996, through the present. (Case Number USCG 2015-CGFO-00232.)
- On October 6, 2014, **Nicole Long**, an editor with *Echo-News* in Tokyo, Japan, requested from U.S. Customs and Border Protection (CBP) records pertaining to the detention and investigation of three executives of instant messenger application soft company KaKao Talk. (Case Number CBP-2015-000962.)
- On October 20, 2014, **Annie Waldman**, a representative with *ProPublica* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) the following records pertaining to the Criminal Alien Removal Initiative: (1) a list of Enforcement and Removal Operations field offices that are carrying out the initiative; and (2) the budget per field office designated to the initiative. (Case Number ICE 2015-ICFO-03259.)
- On October 21, 2014, **Patricia Alulema**, a representative with *CBS News* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to travel expenses for USSS agents offering protection to Hillary Clinton for the following dates and cities: (1) April 3, 2014; April 17, 2014; April 30, 2014; May 15, 2014; June 12, 2014; September 12, 2014; September 16, 2014; September 21, 2014, through September 24, 2014; and October 23, 2014, in New York, New York (Case Number USSS 20150124); (2) April 8, 2014, and October 20, 2014, in San Francisco, California (Case Number USSS 20150125); (3) April 8, 2014, in Portland, Oregon (Case Number USSS 20150126); (4) April

- 23, 2014, and October 24, 2014, in Boston, Massachusetts (Case Number USSS 20150127); (5) April 23, 2014, in Mansfield, Connecticut (Case Number USSS 20150128); (6) April 26, 2014, and October 15, 2014, in Louisville, Kentucky (Case Number USSS 20150129); (7) April 27, 2014, in Phoenix, Arizona (Case Number USSS 20150130); (8) April 28, 2014, through April 29, 2014; May 14, 2014, through May 16, 2014; May 21, 2014; and September 9, 2014, in Washington, DC (Case Number USSS 20150131); (9) June 2, 2014; June 24, 2014; and October 13, 2014, in Denver, Colorado (Case Number USSS 20150132); (10) June 10, 2014, and October 8, 2014, in Chicago, Illinois (Case Number USSS 20150133); (11) June 25, 2014, in San Diego, California (Case Number USSS 20150134); (12) August 28, 2014, in Silicon Valley, California (Case Number USSS 20150135); (13) September 4, 2014, and October 21, 2014, in Las Vegas, Nevada (Case Number USSS 20150136); (14) September 14, 2014, in Indianola, Iowa (Case Number USSS 20150137); (15) October 2, 2014, in Miami, Florida (Case Number USSS 20150138); (16) October 9, 2014, in Philadelphia, Pennsylvania (Case Number USSS 20150139); (17) October 23, 2014, in St. Paul, Minnesota (Case Number USSS 20150140); (18) October 24, 2014, in Providence, Rhode Island (Case Number USSS 20150141); (19) October 24, 2014, in Scarborough, Maine (Case Number USSS 20150142); and (20) October 25, 2014, in Charlotte, North Carolina. (Case Number USSS 20150143.)
- On October 21, 2014, **Terri Langford**, a reporter with *The Texas Tribune* in Austin, Texas, requested from the Federal Emergency Management Agency (FEMA) the following records: (1) records pertaining to the \$19.4 million grant awarded to the Riverside General Hospital in Houston, Texas in 2011; and (2) records of correspondence between FEMA, the Riverside General Hospital, and the Texas Division of Emergency Management regarding the grant. (Case Number FEMA 2015-FEFO-00054.)
 - On October 22, 2014, **Ginger McCall**, Director, Open Government with the **Electronic Privacy Information Center** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the following contracts: (1) HSHQDC08C00100; (2) HSHQDC11F00087; and (3) HSHQDC14A00015. (Case Number 2015-HQFO-00062.)

III. Freedom of Information Act Releases

- On October 23, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Michael Ravnitzky**, an individual in Silver Spring, Maryland, 12 pages of records consisting of complaint narratives from closed DHS-OIG investigations pertaining to the United States Secret Service (USSS) from January 1, 2011, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), 7(D), and 7(E). (Case Number OIG 2014-142.)
- On October 28, 2014, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, two pages of records consisting of e-mails pertaining to an allegation of withholding corruption information from the Federal Bureau of Investigation. Portions of the release were withheld pursuant to Freedom of

Information Act Exemptions 6, 7(A), and 7(C). (Case Number CBP-2014-046269.)

- On October 29, 2014, the Department of Homeland Security (DHS) released to **Cora Currier**, a representative with *ProPublica* in New York, New York, two pages of records consisting of memoranda pertaining to the President's Export Control Reform Initiative. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number 2014-HQFO-00115.)
- On October 29, 2014, the Department of Homeland Security (DHS) released to **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, 10 pages of records consisting of briefing memoranda pertaining to the President's Committee for the North American Leaders Summit. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 5. (Case Number 2014-HQFO-00588.)
- On October 29, 2014, the Department of Homeland Security (DHS) released to **Scott MacFarlane**, a reporter with *NBC4* in Washington, DC, 12 pages of records consisting of responses to congressional questions for the record pertaining to the hearing titled "Examining the Use and Abuse of Administratively Uncontrollable Overtime at the Department of Homeland Security." Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), and 7(C). (Case Number 2014-HQFO-00613.)
- On October 29, 2014, the Federal Emergency Management Agency (FEMA) released to **Peter Erikson**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 11 pages of records consisting of letters pertaining to grants awarded to the Paso Robles Joint Unified School District for FEMA Disaster Number 1505-DR-CA. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FEMA 2013-FEFO-00224.)
- On October 29, 2014, the Federal Emergency Management Agency (FEMA) released to, **Robert Maxwell**, an anchor and investigative reporter with *WXAN-TV* in Austin, Texas, 80 pages of records consisting of applications for funding, e-mails, and memoranda pertaining to private Emergency Medical Service providers. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4 and 6. (Case Number FEMA 2014-FEFO-00341.)
- On October 29, 2014, the Federal Law Enforcement Training Centers (FLETC) issued to **Todd Feathers**, a representative with **MuckRock News** in Boston, Massachusetts, a no records determination in response to his request seeking records pertaining to individuals or organizations that applied to participate in FLETC programs but were rejected, from January 1, 2014, through the present. (Case Number FLETC FOIA 15-001.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Stevens v. Department of Homeland Security* (N.D. Ill. 14-cv-03305), plaintiff filed four Freedom of Information Act requests in fiscal years 2013 through 2014 seeking records pertaining to staffing plans at U.S. Immigration and Customs Enforcement (ICE) detention facilities, detainee grievances, and the voluntary work program for ICE detainees. Plaintiff filed suit on May 6, 2014, claiming constructive denial on all four Freedom of Information Act requests. On October 24, 2014, ICE made its third interim release of 643 pages of detainee grievance forms from the Stewart Detention Center.
- In the matter of *American Immigration Council v Department of Homeland Security* (D.D.C. 12-cv-00856), plaintiffs filed a Freedom of Information Act request on March 14, 2011, seeking records pertaining to an alien's right to have counsel present during interactions with U.S. Immigration and Customs Enforcement (ICE). Plaintiffs filed suit on May 31, 2012, claiming constructive denial. On October 24, 2014, ICE made its second supplemental release of 76 pages of records from the Denver, Los Angeles, and New Orleans Field Offices.

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 October 30 - November 5, 2014
Privacy Office
November 10, 2014
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 October 30, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Office of Detention Oversight-Detention Facility Compliance Inspections menu 2014 inspection reports for the following facilities: (1) Monroe County Detention Center (24 pages); and (2) Adelanto Detention Facility (27 pages).
- On November 3, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room under the Records Concerning the Removal of a Canadian Citizen to Syria menu records from the following components: (1) the DHS Office of Intelligence and Analysis (I&A) (16 pages); and (2) U.S. Immigration and Customs Enforcement (ICE) (814 pages).

II. Freedom of Information Act Requests

- On October 30, 2014, **Ann Givens**, a reporter with *NBC* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records of communications between CBP and the Centers for Disease Control and Prevention regarding Ebola prevention and screening at New York and New Jersey sites from March 1, 2014, through the present. (Case Number CBP-2015-003902.)
- On October 30, 2014, **Bryan Luhn**, a news director with *WCBD-TV* in Charleston, South Carolina, requested from the Transportation Security Administration (TSA) the following records pertaining to Charleston International Airport: (1) a list of items that passengers reported missing from checked and carry-on luggage; (2) records pertaining to the disposition of the aforementioned claims; and (3) a list of TSA employees disciplined due to items missing from passengers' luggage from January 1, 2010, through the present. (Case Number TSA 2015-TSFO-00044.)
- On October 30, 2014, **Michael Scott**, a reporter with *KRGT-TV* in Weslaco, Texas, requested from the United States Coast Guard (USCG) a copy of the investigation report pertaining to the JACKIE C that ran aground during Tropical Storm Dolly on South Padre Island. (Case Number USCG 2015-CGFO-00303.)
- On October 31, 2014, **Ann Choi**, a reporter with the *Sun Sentinel*, requested from the United States Coast Guard (USCG) records pertaining to interceptions and rescues by the USCG Seventh District from January 1, 2014, through October 31, 2014. (Case Number USCG 2015-CGFO-00286.)
- On November 3, 2014, **Joshua Eaton**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the United States Coast Guard (USCG)

records pertaining to Michael Abdul Zehaf-Bibeau prior to October 21, 2014. (Case Number USCG 2015-CGFO-00304.)

- On November 4, 2014, **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 any other services for Vice President Joe Biden and any companions on the following trips: (1) September 3, 2014 trip to New Hampshire (Case Number USSS 20150169); (2) September 17, 2014 trip to Iowa (Case Number USSS 20150170); and (3) May 9, 2014 trip to South Carolina. (Case Number USSS 20150171.)
- On November 4, 2014, **Scott MacFarlane**, a reporter with **NBC4** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the reports or closing memoranda pertaining to investigations, audits, or reviews of agency micro-purchase (or purchase card) usage for fiscal years 2013 and 2014. (Case Number OIG 2015-028.)
- On November 4, 2014, **Scott MacFarlane**, a reporter with **NBC4** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to regional and Headquarters A-123 reports regarding micro-purchases for fiscal years 2013 and 2014. (Case Number 2015-HQFO-00075.)

Late requests

- On October 13, 2014, **Tarmo Vahter**, a reporter with **Eesti Ajalehed** in Tallinn, Estonia, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the late Endel Ilves. (Case Number USCIS NRC2014120547.)
- On October 21, 2014, **Jim Dalrymple II**, a reporter with **BuzzFeed** in Los Angeles, California, requested from the Department of Homeland Security (DHS) the following records: (1) reports pertaining to the arrests and/or detentions of individuals suspected of crossing the U.S.-Mexico border, and that include any of the following words: “ISIS,” “ISIL,” “IS,” “Islamic State,” “Kurdistan Workers Party,” “PKK,” “Kongra Gel,” or “terrorism, terrorist, or terror suspect” from September 1, 2014, through October 31, 2014; (2) reports pertaining to the September 10, 2014 capture/apprehension of four people with Middle Eastern origins who were arrested and/or detained after crossing the U.S.-Mexico border in Texas; and (3) records of communication between Secretary Jeh Johnson and Congressman Jason Chaffetz (R-UT) from September 10, 2014, through the present. (Case Number 2015-HQFO-00076.)
- On October 22, 2014, **Sean Dunagan**, an investigator with **Judicial Watch** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to pre-solicitation HSSCCG-14-R-00028, which was issued on October 3, 2014, and seeks a vendor to provide “card consumables for the Document Management Division (DMD) that will be used to produce Permanent Resident Cards (PRC) and Employment Authorization Documentation (EAD) cards.” (Case Number USCIS CNT2014000032.)
- On October 27, 2014, **Nathan Anderson**, an editor with **Ars Technica** in Wheaton, Illinois, requested from U.S. Immigration and Customs Enforcement

(ICE) records pertaining to training materials used as part of the ICE Cyber Crimes Center classes and peer-to-peer network course. (Case Number ICE 2015-ICFO-04834.)

- On October 28, 2014, **Gary Baum**, a writer with *The Hollywood Reporter* in Los Angeles, California, requested from the United States Citizenship and Immigration Services (USCIS) statistical data pertaining to O-1A and O-1B visa applications submitted from January 1, 1991, through December 31, 2013. (Case Number USCIS COW2014000746.)
- On October 29, 2014, **Kevin McGill**, a representative with the *Associated Press* in New Orleans, Louisiana, requested from the Federal Emergency Management Agency (FEMA) records pertaining to contracts for Hurricane Katrina storm recovery projects regarding temporary power, dehumidifying and cooling services, and support services for Tulane University. (Case Number FEMA 2015-FEFO-00074.)

III. Freedom of Information Act Releases

- On October 30, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) issued to **William Marshall**, a representative with **Judicial Watch** in Washington, DC, a full denial in response to his request seeking records pertaining to a DHS-OIG investigation into allegations that a named third party engaged a prostitute in Cartagena. These records were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number OIG 2015-023.)
- On October 30, 2014, U.S. Customs and Border Protection (CBP) issued to **Howard Williams**, an individual in San Marcos, Texas, a full denial in response to his request seeking a copy of the investigation pertaining to the death of Anastacio Hernandez-Rojas on May 28, 2010. These records were withheld pursuant to Freedom of Information Act Exemption 7(A). (Case Number CBP-2014-042507.)
- On October 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Chuck Ross**, a representative with *The Daily Caller* in Wichita, Kansas, one Excel spreadsheet containing the flights chartered by ICE for the transportation of unaccompanied children. These records were released in full. (Case Number ICE 2014-ICFO-01936.)
- On October 31, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Jim Finkle**, a journalist with *Thomson Reuters* in Boston, Massachusetts, 10 pages of records consisting of correspondence between Industrial Control Systems Cyber Emergency Response Team (ICS-CERT) or United States Computer Emergency Readiness Team (US-CERT) staff and the following individuals : (1) (b)(6) an employee with McAfee and IoActive, from June 17, 2011, through September 10, 2013; and (2) (b)(6) an employee with McAfee and Cylance, from June 1, 2011, through January 1, 2014, regarding medical device security. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, and 7(E). (Case Number NPPD 2014-NPFO-00283.)

- On October 31, 2014, the Transportation Security Administration (TSA) released to **Chris Ingalls**, an investigator with *King5* in Seattle, Washington, one page of records containing the number and amount of civil fines levied for firearms in restricted areas at SeaTac Airport from January 1, 2008, through June 30, 2014. These records were released in full. (Case Number TSA 2013-TSFO-01093.)
- On October 31, 2014, the Transportation Security Administration (TSA) released to **Trent Seibert**, a producer with *KTRK* in Houston, Texas, two pages of records containing the number and types of items seized at George Bush Intercontinental Airport and William P. Hobby Airport from January 1, 2005, through February 28, 2014. These records were released in full. (Case Number TSA 2014-TSFO-00254.)
- On October 31, 2014, the Transportation Security Administration (TSA) released to **Todd Feathers**, a representative with the *Boston Globe* in Boston, Massachusetts, five pages of records consisting of Ebola fact sheets. These records were released in full. (Case Number TSA 2015-TSFO-00012.)
- On November 3, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kate Bailey**, a representative with **Judicial Watch** in Washington, DC, one Excel spreadsheet containing the number of Notices to Appear issued to juveniles that were not filed with any U.S. Immigration Court as a matter of prosecutorial discretion since January 1, 2012. These records were released in full. (Case Number ICE 2014-ICFO-02808.)
- On November 3, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kate Bailey**, a representative with **Judicial Watch** in Washington, DC, one Excel spreadsheet containing the number of suspected illegal immigrants arrested and turned over to ICE by the Prince William County Police Department of Prince William County, Virginia and subsequently deported, released, or kept in detention. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2014-ICFO-03706.)
- On November 3, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Amy Taxin**, a reporter with the *Associated Press* in Tustin, California, one Excel spreadsheet containing the number of in-custody transfers from local law enforcement agencies to ICE, broken down by county and month from January 1, 2013, through the present. These records were released in full. (Case Number ICE 2015-ICFO-01188.)
- On November 3, 2014, the Department of Homeland Security (DHS) released to **Peter Micek**, Policy Counsel with *Access Now* in New York, New York, 14 pages of records consisting of e-mails pertaining to the European Data Protection Reform Package. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number 2014-HQFO-00676.)
- On November 4, 2014, the Federal Emergency Management Agency (FEMA) released to **Brad Heath**, a reporter with *USA Today* in McLean, Virginia, two pages of records consisting of a Report of Investigation pertaining to a missing weapon. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number FEMA 2013-FEFO-00348.)

- On November 5, 2014, the Transportation Security Administration (TSA) released to **Walter Moskop**, a reporter with the *St. Louis Post-Dispatch* in St. Louis, Missouri, 16 pages of records containing the number and types of items seized at Lambert St. Louis International Airport for 2004 and 2005. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number TSA 2014-TSFO-00158.)

IV. Freedom of Information Act Appeals

- On October 27, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, appealed the Department of Homeland Security (DHS), Office of Inspector General's (OIG) response to his request seeking the following records: (1) records pertaining to a Federal Bureau of Investigation/Department of Justice and/or federal grand jury investigation of DHS-OIG and any related field offices, including but not limited to Dallas and McAllen; and (2) records pertaining to misconduct and/or corruption allegations and/or investigations involving DHS employees conducted by and/or relating to the DHS-OIG from February 1, 2012, through the present. The requester is contesting portions of the release withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), and 7(C). (Case Number OIG 2015-A02.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Judicial Watch, Inc. v. Department of Homeland Security* (D.D.C. 14-cv-01237), plaintiff filed a Freedom of Information Act request on May 15, 2014, seeking records of communication to or from personnel in the U.S. Immigration and Customs Enforcement (ICE) Office of the Principal Deputy Assistant Secretary from May 1, 2014, through May 15, 2014, pertaining to a report published by the Center for Immigration Studies regarding the release of 36,000 criminal aliens. Plaintiff filed suit on July 21, 2014, claiming constructive denial. On October 30, 2014, ICE released its second interim release of 95 pages of e-mail records from the Office of Public Affairs.

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 November 6 - 12, 2014
Privacy Office
November 17, 2014
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 November 5, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Secure Communities Statistics menu the Secure Communities Nationwide Interoperability Statistics-Fiscal Year 2014 (58 pages).
- On November 5, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Office of Detention Oversight-Detention Facility Compliance Inspections menu the 2014 inspection report for the Sherburne County Jail (25 pages).

II. Freedom of Information Act Requests

- On November 6, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to a request made by *Al-Jazeera Network* approximately May 11, 2014, through May 12, 2014, to film an ill airline passenger being examined inside the quarantine room at Miami International Airport; and (2) records pertaining to any subsequent filming of the quarantine room by *Al Jazeera Network*. (Case Number CBP-2015-004952.)
- On November 7, 2014, **Sean Reilly**, a reporter with *USA Today* in McLean, Virginia, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the original Freedom of Information Act request and records released for Case Number OIG 2014-141. (Case Number OIG 2015-032.)
- On November 10, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) the following records pertaining to the November 11, 2011 incident regarding shots fired at the White House: (1) records pertaining to investigative reports, photographs, briefing memoranda, and agents' field notes (Case Number USSS 20150205); and (2) records of communications to or from USSS personnel and officials from November 11, 2011, through the present. (Case Number USSS 20150206.)
- On November 12, 2014, **Scott MacFarlane**, a reporter with *NBC4* in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to closing memoranda, photographs, and videos from closed travel card theft investigations in fiscal years 2012 through 2014. (Case Number OIG 2015-037.)
- On November 12, 2014, **Justin McCarthy**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the final reports of investigation and

closing documents for 34 specified closed DHS-OIG investigations pertaining to the United States Secret Service (USSS). (Case Number OIG 2015-038.)

- On November 12, 2014, **Carol Leonnig**, a reporter with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to personnel actions and information regarding three current and former DHS-OIG employees. (Case Number OIG 2015-040.)

Late requests

- On October 31, 2014, **Esther Lee**, a reporter with the **Center for American Progress** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) reports on the use of solitary confinement for over 14 days at a time; (2) evaluations of whether less restrictive options could be used; and (3) reports of lesbian, gay, bisexual, and transgender immigrants in solitary confinement for over 14 days. (Case Number ICE 2015-ICFO-05363.)
- On October 31, 2014, **Esther Lee**, a reporter with the **Center for American Progress** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Risk Classification Assessments for lesbian, gay, bisexual, and transgender immigrants from October 1, 2013, through October 31, 2014. (Case Number ICE 2015-ICFO-05364.)
- On October 31, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for (b)(6) a previously naturalized U.S. citizen, who lost his citizenship due to his role as an armed SS Guard in Nazi Germany, and who subsequently left the U.S. for Germany in September 2007. (Case Number USCIS COW2014000771.)
- On November 4, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to plans to transport non-U.S. resident Ebola victims to the U.S. for treatment. (Case Number 2015-HQFO-00081.)

III. Freedom of Information Act Releases

- On November 6, 2014, the United States Coast Guard (USCG) released to **Anthony Cusumano**, an editor with *NBC 6 South Florida* in Miramar, Florida, 74 pages of records consisting of case reports, radio logs, charts, and e-mails pertaining to the discovery of four bodies located 20 miles off the coast of Hollywood Beach, Florida on August 24, 2014. These records were released in full. (Case Number USCG 2014-3138.)
- On November 10, 2014, the Department of Homeland Security (DHS) issued to **Ann Swinburn**, an individual in Oakland, California, a no records determination in response to her request seeking a copy of public financial disclosure forms filed by former DHS Assistant Secretary for Intergovernmental Programs Juliette Kayyem, from March 2009, through December 2010. (Case Number 2014-HQFO-00466.)

- On November 12, 2014, the Department of Homeland Security (DHS) issued to **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, a no records determination in response to her request seeking records pertaining to the number of flights to repatriate individuals back to Central America from January 1, 2013, through the present. (Case Number 2014-HQFO-00793.)

IV. Freedom of Information Act Appeals

- On November 7, 2014, **Thomas Jones**, a reporter with **NBC Universal** in San Diego, California, appealed U.S. Customs and Border Protection's (CBP) response to his request seeking the following records: (1) a copy of all surveillance footage from two cells at the Campo Border Patrol Station in Campo, California, from May 31, 2014, through June 2, 2014; (2) records detailing the reasons the individuals in these cells were detained; and (3) a status of the individuals after June 2, 2014, including arrest reports and/or court records regarding their cases. The requester is contesting the requirement to provide third party authorizations from the individuals and the decision to withhold the video footage in full pursuant to Freedom of Information Act Exemption 7(E). (Case Number CBP-AP-2015-004856.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 November 7, 2014, ICE released its fifteenth supplemental release of 1,235 pages of Enforcement and Removal Operations detention facility inspection reports.
- In the matter of *Poulsen v. Department of Homeland Security* (13-cv-00498), plaintiff filed a Freedom of Information Act request on February 4, 2013, seeking records pertaining to Aaron Swartz. Plaintiff filed suit on April 12, 2013, claiming the United States Secret Service (USSS) wrongfully withheld records from plaintiff by failing to comply with the statutory time limit for rendering a decision on plaintiff's appeal dated, March 1, 2013. On November 12, 2014, USSS released its twenty-second interim release of four 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 Activity for the Week of November 13 - 19, 2014
Privacy Office
November 24, 2014
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 November 13, 2014, **Shawna Ohm**, a producer with *Yahoo Finance* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) a listing of companies that have been fined by ICE for immigration violations over the past 10 years, including: (1) the date and location of the violations; (2) the nature of the violations; and (3) the amount of the fines. (Case Number ICE 2015-ICFO-06134.)
- On November 13, 2014, **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 Obama and any companions on their trip to Los Angeles, California from October 9, 2014, through October 10, 2014. (Case Number USSS 20150217.)
- On November 13, 2014, **Archie Ingersoll**, a reporter with *Forum Communications Company* in Fargo, North Dakota, requested from the Transportation Security Administration (TSA) records pertaining to passenger complaints filed over the previous 12 months involving TSA at the Hector International Airport. (Case Number TSA 2015-TSFO-00064.)
- On November 13, 2014, **Isaac Arnsdorf**, a journalist with *Bloomberg News* in New York, New York, requested from the Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A) the following records: (1) private sector advisories issued to the oil and gas industry; (2) congressional correspondence pertaining to the oil and gas industry; (3) analysis of the risk of eco-terrorism to the oil and gas industry; and (4) records pertaining to the Keystone XL Pipeline from January 1, 2009, through the present. (Case Number I&A 2015-IAFO-00034.)
- On November 13, 2014, **John Santore**, a reporter with the *Press of Atlantic City* in Atlantic City, New Jersey, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for (b)(6) (Case Number USCIS NRC2014129263.)
- On November 14, 2014, **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the mission proposals for Operation Torrent Divide mentioned by Secretary Jeh Johnson in his July 10, 2014 statement before the Senate Committee on Appropriations. (Case Number CBP-2015-005965.)

- On November 18, 2014, **Virginia Eubanks**, a representative with the **Los Angeles Community Action Network** in Albany, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP's compliance and participation in the Nationwide Suspicious Activity Reporting Initiative. (Case Number CBP-2015-006231.)
- On November 19, 2014, **Jason Leopold**, a reporter with **VICE News** in Venice, California, requested from the Department of Homeland Security (DHS) and the DHS Office of Intelligence and Analysis (I&A) records pertaining to: (1) protests in Ferguson, Missouri; (2) the shooting death of Michael Brown; and (3) the pending grand jury decision in the case against Ferguson Police Officer Darren Wilson. (Case Numbers 2015-HQFO-00104 and I&A 2015-IAFO-00035.)

Late requests

- On October 15, 2014, **Brad Heath**, a reporter with **USA Today** in McLean, Virginia, requested from U.S. Immigration and Customs Enforcement (ICE) a copy of the tables in the Office of the Principal Legal Advisor Case Management System database, or any other database used by the Office of the Principal Legal Advisor to track immigration cases. (Case Number ICE 2015-ICFO-05791.)
- On November 6, 2014, **Charles Ross**, a reporter with **The Daily Caller** in Wichita, Kansas, requested from the United States Citizenship and Immigration Services (USCIS) records of communications pertaining to former USCIS Director Alejandro Mayorkas and Green Tech Automotive from August 12, 2009, through December 23, 2013. (Case Number USCIS COW2014000776.)
- On November 6, 2014, **Monica Uribe**, a journalist with **KJZZ Public Radio** in Phoenix, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to bonds set by ICE for aliens detained in the Artesia Family Residential Center from July 18, 2014, through October 5, 2014. (Case Number ICE 2015-ICFO-05916.)
- On November 7, 2014, **Leigh Martinez**, a reporter with **KOVR CBS13** in Sacramento, California, requested from the United States Coast Guard (USCG) records of correspondence between USCG and Google, Inc. pertaining to the Google barge in Stockton, California. (Case Number USCG 2015-CGFO-00335.)
- On November 8, 2014, **Satnam Chahal**, a representative with **Punjab News USA** in Milpitas, California, requested from U.S. Immigration and Customs Enforcement (ICE) the following statistical data for 2013 and 2014: (1) the number of asylum seekers of Indian origin detained in ICE jails and their status; (2) the number of asylum seekers of Indian origin deported to India directly from ICE jails; and (3) the number of serious criminals of Indian origin detained in ICE jails for breaking immigration laws. (Case Number ICE 2015-ICFO-06029.)
- On November 10, 2014, **Tom Winter**, a reporter with **NBC News** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to SOUNDEX or similar technology in use since January 1, 2012. (Case Number CBP-2015-005340.)
- On November 10, 2014, **Randy Herschaft**, a reporter with the **Associated Press** in New York, New York, requested from the United States Citizenship and

Immigration Services (USCIS) a copy of the Alien file for the late Boleslavs Maikovskis. (Case Number USCIS COW2014000784.)

- On November 12, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for the late Alexander Schweidler. (Case Number USCIS COW2014000781.)
- On November 12, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for the late Anton Bless. (Case Number USCIS COW2014000783.)
- On November 12, 2014, **Daniel Verton**, a director with *FedScoop* in Washington, DC, requested from the United States Coast Guard (USCG) records pertaining to the Integrated Deepwater System acquisition program and Integrated Coast Guard Systems. (Case Number USCG 2015-CGFO-00353.)
- On November 12, 2014, **Bill Bittar**, a reporter with the *Republican-American* in Waterbury, Connecticut, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the 2006 FEMA Firefighters Assistance grant for the Middlebury Volunteer Fire Department in Middlebury, Connecticut. (Case Number FEMA 2015-FEFO-00102.)

III. Freedom of Information Act Releases

- On November 13, 2014, U.S. Customs and Border Protection (CBP) released to **Megan Blarr**, a producer with *WGRZ-TV* in Buffalo, New York, 17 pages of records pertaining to the missing Afghan soldiers who were found near the Canadian Border and to persons detained at the Rainbow Bridge, Lewiston-Queenston Bridge, and the Peace Bridge within the past year. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2014-046060.)
- On November 13, 2014, the Federal Emergency Management Agency (FEMA) released to, **Jack Gillum**, a reporter with the *Associated Press* in Washington, DC, 85 pages of records consisting of letters to or from Congressman Paul Ryan (R-WI) or his staff pertaining to disaster survivors. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4 and 6. (Case Number FEMA 2013-FEFO-00030.)
- On November 13, 2014, the Transportation Security Administration (TSA) released to **Eric Russell**, a reporter with the *Portland Press Herald* in Portland, Maine, 130 pages of records consisting of complaints made by travelers against TSA agents at Portland International Jetport from 2004 through 2012. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number TSA 2014-TSFO-00062.)
- On November 14, 2014, the Transportation Security Administration (TSA) released to **Andrew Becker**, a reporter with the *Center for Investigative Reporting* in Emeryville, California, 621 pages of records consisting of internal investigations into allegations of Federal Air Marshal weapons discharges from 2003 through 2009. Portions of the release were withheld pursuant to Freedom of

Information Act Exemptions 2, 3, 5, 6, 7(C), and 7(E). (Case Number TSA 2010-TSFO-00611.)

- On November 14, 2014, the Department of Homeland Security (DHS) issued to **Ann Swinburn**, an individual in Oakland, California, a no records determination in response to her request seeking the following records pertaining to former DHS Assistant Secretary for Intergovernmental Programs Juliette Kayyem, from March 2009, through December 2010: (1) records pertaining to salary and salary increases; (2) records pertaining to benefits including health, retirement, automobile allowance, housing allowance, and/or any other employee benefit; (3) per diem payments; and (4) records pertaining to payments regarding expenses related to travel, meals, or other “perks.” (Case Number 2014-HQFO-00446.)
- On November 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Alberto Moya**, a reporter with **CBS News** in New York, New York, 11 pages of records consisting of photographs and videos taken by ICE and U.S. Customs and Border Protection (CBP) employees at the CBP facility in Nogales, Arizona, from January 1, 2014, through June 11, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2014FOIA18673.)
- On November 17, 2014, the United States Coast Guard (USCG) released to **Adam Wagner**, a representative with **Star News Media** in Wilmington, North Carolina, seven pages of records consisting of a case report pertaining to the grounding of ADVENTURE on December 17, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number USCG 2015-CGFO-00157.)
- On November 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Villatoro**, a journalist with **Plaza Publica** in Guatemala, one Excel spreadsheet pertaining to unaccompanied alien children from Honduras, El Salvador, and Guatemala for 2014. These records were released in full. (Case Number ICE 2014-ICFO-7052.)
- On November 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on each removal and return for February 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2015-ICFO-01350.)
- On November 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on each removal and return for March 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2015-ICFO-01356.)
- On November 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on each ICE removal and return for March

2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2015-ICFO-01359.)
- On November 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on each ICE removal and return for February 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2015-ICFO-01362.)
 - On November 19, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing anonymous case-by-case information on each individual who was served a form I-221 or I-222 or form I-862 or I-863 in February 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2015-ICFO-01379.)
 - On November 19, 2014, U.S. Immigration and Customs Enforcement released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse** in Syracuse, New York, one Excel spreadsheet containing alien-by-alien, detention facility-by-detention facility, anonymous data on each individual who was detained, released, or was in ICE custody in February 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6 and 7(C). (Case Number ICE 2015-ICFO-01380.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- On November 18, 2014, U.S. Customs and Border Protection (CBP) released to **Thomas Jones**, a reporter with *NBC Universal* in San Diego, California, 48 pages of records consisting of apprehension records from Campo Border Patrol Station in Campo, California from May 31, 2014, through June 2, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2015-004856.)

VI. Litigation

- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a Freedom of Information Act request on November 29, 2011, seeking records pertaining to the Criminal Alien Program 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 November 14, 2014, U.S. Immigration and Customs Enforcement (ICE) released 300 pages of e-mail records from the Philadelphia Field Office.
- In the matter of *Detention Watch Network v. Department of Homeland Security, et al.* (S.D. N.Y. 14-cv-00583), plaintiff filed a Freedom of Information Act request on November 25, 2013, seeking records pertaining to the Detention Bed Mandate.

Plaintiff filed suit claiming constructive denial, and sought a preliminary injunction to compel production. On November 14, 2014, the Department of Homeland Security (DHS) released 285 pages of records in its sixth interim release. On November 17, 2014, U.S. Immigration and Customs Enforcement (ICE) released 1,202 pages of detention facility contracts and related 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 Activity for the Week of November 20 – December 3, 2014
Privacy Office
December 8, 2014
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 November 21, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room a listing of DHS-OIG investigations involving the United States Secret Service (USSS) closed from January 1, 2011, through September 30, 2014 (12 pages).
- On November 21, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room a listing of allegations of sexual assaults at U.S. Immigration and Customs Enforcement (ICE) facilities (13 pages).
- On November 25, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to its Freedom of Information Act Reading Room a listing of DHS-OIG investigations closed from January 1, 2010, through May 24, 2012 (712 pages).
- On December 1, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Office of Detention Oversight-Detention Facility Compliance Inspections menu the 2014 Saint Clair County Jail Closeout Report (two pages)
- On December 1, 2014, U.S. Immigration and Customs Enforcement (ICE) posted to the ICE Freedom of Information Act Library under the Secure Communities Statistics menu the Secure Communities Nationwide Interoperability Statistics-Year to Date Fiscal Year 2015(58 pages).

II. Freedom of Information Act Requests

- On November 20, 2014, **Yvette Cabrera**, a reporter with *The Voice of Orange County* in Santa Ana, California, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) criminal alien juvenile removal data for Enforcement and Removal Operations during fiscal year 2013 from offices in Los Angeles, San Francisco, and San Diego; and (2) a copy of the fiscal year 2013 ICE Immigration Removal annual report. (Case Number ICE 2015-ICFO-06920.)
- On November 20, 2014, **Russell Carollo**, an individual in Pueblo, Colorado, requested from the United States Coast Guard (USCG) records pertaining to the Deepwater Horizon oil spill and the National Pollution Funds Center Case Number FPN N10036. (Case Number USCG 2015-CGFO-00435.)
- On November 20, 2014, **Sam Pearson**, a reporter with *Environment and Energy News* in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence between DHS and the office of Senator Ron Johnson (R-WI) from January 1, 2011, through the present. (Case Number 2015-HQFO-00105.)

- On November 24, 2014, **Thomas Jones**, an individual in Edgewater, Maryland, requested from the Department of Homeland Security (DHS), the Federal Law Enforcement Training Centers (FLETC), the United States Citizenship and Immigration Services (USCIS), and the United States Coast Guard (USCG) records of correspondence between Senator Ted Cruz (R-TX) or his staff and the aforementioned pertaining to: (1) legislation or regulations; (2) recommendations for executive branch positions or appointments; or (3) support or opposition to federal funding for programs, projects, or companies. (Case Numbers 2015-HQFO-00108, FLETC FOIA 15-106, USCIS COW2014000814, and USCG 2015-CGFO-00461.)
- On November 24, 2014, **Kevin Schmidt**, an analyst with **Cause of Action** in Washington, DC, requested from the Department of Homeland Security (DHS) a copy of text messages, Blackberry messenger chats, and SMS messages sent or received by the following individuals and/or the individuals currently holding the named positions: (1) Secretary Jeh Johnson; (2) Christian Marrone, Chief of Staff; (3) Tanya Bradsher, Assistant Secretary for Public Affairs; (4) Brian de Vallance, Assistant Secretary for Legislative Affairs; and (5) Pam Coleman, White House Liaison from November 2, 2014, through November 8, 2014. (Case Number 2015-HQFO-00109.)
- On November 24, 2014, **Stephen Dinan**, a representative with *The Washington Times* in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence between David Shahoulian, DHS Deputy General Counsel, and Karl Thompson, Principal Deputy Assistant Attorney General, Office of Legal Counsel, dated November 19, 2014. (Case Number 2015-HQFO-00110.)
- On November 24, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for the late Nikolaus Schiffer. (Case Number USCIS COW2014000812.)
- On November 25, 2014, **Derek Mead**, a representative with **Muckrock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) the following records: (1) records pertaining to CBP unmanned aircraft system flights (Predator or Reaper) that have crossed into Canadian territory; and (2) correspondence with Canadian officials regarding the flights. (Case Number CBP-2015-007195.)
- On November 25, 2014, **Michael Ravnitsky**, an individual in Silver Spring, Maryland, requested from the Transportation Security Administration (TSA) the three most recent TSA Quarterly Federal Air Marshals Reports. (Case Number TSA 2015-TSFO-00072.)
- On November 25, 2014, **Jennifer Wadsworth**, a representative with *Metro Silicon Valley* in San Jose, California, requested from the Transportation Security Administration (TSA) a list of dates and descriptions of perimeter security breaches at Mineta San Jose International Airport from January 1, 2012, through November 25, 2014. (Case Number TSA 2015-TSFO-00079.)
- On November 26, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service

(USSS) the following records: (1) a list of the names of all USSS protectees (Case Number USSS 20150260); and (2) the annual expenditure of U.S Government resources for each of those protectees from 2001 through 2014. (Case Number USSS 20150261.)

- On November 30, 2014, **Michael Phillis**, a representative with the **Center for Public Integrity** in Philadelphia, Pennsylvania, requested from the United States Coast Guard (USCG) records pertaining to contract number HSCG84-13-D-B13038 with Glocoms Incorporated. (Case Number USCG 2015-CGFO-00490.)
- On December 1, 2014, **Andrew Grimm**, a reporter with *The Times-Picayune* in New Orleans, Louisiana, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) the names of contractors in audits OIG-15-01-D and OIG-DD-13-11; (2) the names of contractors awarded contracts by Tulane University; (3) the amounts paid to the aforementioned contractors; (4) a list of audits involving findings of overbilling by Belfour USA; and (5) subpoenas issued to Tulane in connection with DHS-OIG audits. (Case Number OIG 2015-048.)
- On December 3, 2014, **Lynn Walsh**, a producer with *NBC 7 News* in San Diego, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) records pertaining to 24 investigations involving the San Diego area. (Case Number OIG 2015-050.)

Late requests

- On October 23, 2014, **Doug Hanks**, a reporter with the *Miami Herald* in Doral, Florida, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the proposed EB-5 visa project SkyRise Miami sponsored by Miami Metropolitan Regional Center. (Case Number USCIS COW2014000737.)
- On October 31, 2014, **Tarmo Vahter**, a reporter with *Eesti Ajalehed AS* in Tallinn, Estonia, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to the late Mikhail Gorshkow or Michael Gorshkow. (Case Number USCIS COW2014000787.)
- On November 13, 2014, **Joanna Kao**, a representative with *Al Jazeera America* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to denial notices for naturalization applications filed under the Immigration and Naturalization Act Sections 328 or 329 since September 11, 2001. (Case Number USCIS COW2014000806.)
- On November 14, 2014, **Kevin Schmidt**, an analyst with **Cause of Action** in Washington, DC, requested from the United States Citizenship and Immigration Services (USCIS) a copy of text messages, Blackberry messenger chats, and SMS messages sent or received by the following individuals and/or the individuals currently holding the named positions in USCIS: (1) Leon Rodriguez, Director; (2) Juliet Choi, Chief of Staff; (3) Angelica Alfonso-Royals, Acting Chief, Office of Communications; (4) James McCament, Chief, Office of Legislative Affairs; and (5) Denise Vanison, Chief, Office of Policy and Strategy from November 2, 2014, through November 8, 2014. (Case Number USCIS COW2014000800.)

- On November 17, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for the late Martin Bartesch. (Case Number USCIS COW2014000813.)
- On November 18, 2014, **Jeff Elder**, a representative with *The Wall Street Journal* in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) Student and Exchange Visitor Program system data for foreign students under F-1 visas in Curricular Practical Training and Optional Practical Training programs for the following schools: (1) Infoserve Technologies Institute; (2) International Technological University; (3) Herguan University; (4) Tri-Valley University; and (5) the University of Northern Virginia from January 1, 2008, through December 31, 2012. (Case Number ICE 2015-ICFO-06380.)
- On November 19, 2014, **Nathan Wessler**, an attorney with the **American Civil Liberties Union** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to search warrants or authorizations for use of cell site simulators deployed on aircraft. (Case Number ICE 2015-ICFO-07629.)
- On November 19, 2014, **Jon Street**, an assistant editor with *TheBlaze* in New York, New York, requested from the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) records pertaining to a listing of items purchased by the Federal Protective Service from TacticalGear.com on November 9, 2014. (Case Number NPPD 2015-NPFO-00062.)

III. Freedom of Information Act Releases

- On November 17, 2014, the United States Coast Guard (USCG) released to **Sarah Trefethen**, a freelance journalist in Brooklyn, New York, one Excel spreadsheet containing case report descriptions of incidents in New York City. These records were released in full. (Case Number 2015-CGFO-00211.)
- On November 24, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Barry Davis**, an anchor with *KENS-5 TV* in San Antonio, Texas, one Excel spreadsheet containing booking information pertaining to illegal/undocumented immigrants caught/turned over to ICE in the South Texas region for fiscal years 2012 through 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 7(E). (Case Number ICE 2015-ICFO-02188.)
- On November 24, 2014, the Department of Homeland Security (DHS) released to **Joshua Daniels**, an analyst with the **Libertas Institute**, 41 pages of records pertaining to the State of Utah and its compliance with or implementation of the provisions and standards of the REAL ID Act, from January 1, 2009, through December 31, 2013. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number 2014-HQFO-00284.)
- On November 25, 2014, U.S. Customs and Border Protection (CBP) released to **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, 130 pages of records consisting of the Concept of Operations for

CBP Air and Marine P-3 Airborne Early Warning and Long Range Tracking Aircraft and the Concept of Operations for CBP's Predator B Unmanned Aircraft System Fiscal Year 2010 Report to Congress. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number CBP-2014-044308.)

- On November 25, 2014, the Transportation Security Administration (TSA) released to **Jeffrey Kerr**, a general counsel and senior vice president with the **People for the Ethical Treatment of Animals Foundation** in Washington, DC, 99 pages of records consisting of correspondence between TSA and the Iditarod Trail Committee, Inc. regarding the Iditarod Trail Sled Dog Race held March 5, 2011. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number TSA 2011-TSFO-00713.)
- On November 25, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Chris Castelli**, a correspondent with *Inside Cybersecurity* in Arlington, Virginia, 11 pages of records consisting of the DHS cybersecurity study titled, "Improving Critical Infrastructure Cybersecurity." Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 7(E) and 7(F). (Case Number NPPD 2014-NPFO-00426.)
- On November 25, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Leslie Donaldson**, a reporter with *KTVU-TV* in Oakland, California, one Excel spreadsheet containing the number of vehicles acquired by NPPD in 2012. These records were released in full. (Case Number NPPD 2015-NPFO-00001.)
- On November 26, 2014, the United States Coast Guard (USCG) released to **Zachary Mider**, a reporter with *Bloomberg News* in New York, New York, two pages of records consisting of a letter pertaining to Solicitation Number HSCG30-13-Q-PCVD60. These records were released in full. (Case Number USCG 2014-3102.)
- On November 28, 2014, the Federal Emergency Management Agency (FEMA) released to **Heather Akers-Healy**, a representative with **MuckRock News** in Boston, Massachusetts, 61 pages of records pertaining to FEMA's Transit Security Grant. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3, 5, 6, 7(C), and 7(E). (Case Number FEMA 2013-FEFO-00957.)
- On November 28, 2014, the Federal Emergency Management Agency (FEMA) released to **Matthew Sledge**, a reporter with the *Huffington Post* in New York, New York, 46 pages of records consisting of incident reports and e-mails pertaining to the protests in Ferguson, Missouri and federal programs that equipped state and local law enforcement agencies from August 9, 2014, through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number FEMA 2014-FEFO-00939.)
- On November 28, 2014, U. S. Immigration and Customs Enforcement (ICE) released to **Beryl Lipton**, a representative with **MuckRock News** in Boston, Massachusetts, one page of records pertaining to detention and deportation facilities (temporary or permanent) proposed to be opened, anticipated to be

opened, scheduled to open, and opened in 2014 and 2015. These records were released in full. (Case Number ICE 2014-ICFO-06364.)

- On November 28, 2014, U. S. Immigration and Customs Enforcement (ICE) released to **Lomi Kriel**, a reporter with the *Houston Chronicle Media Group* in Houston, Texas, six pages of records containing monthly reports sent to the Harris County Sheriff's Office pertaining to detainers and deportations resulting from Harris County Jail. These records were released in full. (Case Number ICE 2014-ICFO-07019.)
- On November 28, 2014, U. S. Immigration and Customs Enforcement (ICE) released to **Joanna Kao**, a representative with *Al Jazeera America* in New York, New York, one Excel spreadsheet containing the number of deportees deported through Tijuana and Mexico from October 1, 2013, through September 13, 2014. These records were released in full. (Case Number ICE 2014-ICFO-07419.)
- On December 2, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, 132 pages of records pertaining to the collection, storage, return, and disposition of personal possessions of individuals detained at Department of Homeland Security (DHS) facilities. Portions of the release were withheld pursuant to Privacy Act Exemption k2 and Freedom of Information Act Exemptions 6, 7(C), and 7(E). (Case Number ICE 2015-ICFO-00326.)
- On December 2, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Joanna McCall**, a reporter with **National Corporate Research, LTD** in Washington, DC, 51 pages of records pertaining to federal contracts between ICE and the following companies: (1) Experian Information Solutions, Inc.; (2) Equifax Information Services, LLC; (3) TransUnion Corporation; (4) LexisNexis; (5) Reed Elsevier; (6) Thomson Reuters; and (7) West Publishing Corporation from January 1, 2012, through January 1, 2014. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2015-ICFO-00435.)
- On December 2, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) released to **Malia Litman**, an individual in Dallas, Texas, eight pages of records consisting of complaint narratives involving the United States Secret Service (USSS). Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 6, 7(A), 7(C), 7(D), and 7(E). (Case Number OIG 2014-123.)
- On December 2, 2014, the Federal Emergency Management Agency (FEMA) released to **Katie Davis**, a reporter with *WJAR-TV* in Cranston, Rhode Island, 142 pages of records consisting of grants and letters for a 2009 Staffing for Adequate Fire and Emergency Response grant of \$1.56 million awarded to the Scituate Fire and Rescue Engineering Board in Scituate, Rhode Island. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 4 and 6. (Case Number FEMA 2013-FEFO-00865.)
- On December 3, 2014, the Federal Emergency Management Agency (FEMA) released to **Robert Brauchle**, a writer with the *Daily Press* in Newport News, Virginia, 26 pages of records consisting of project worksheets pertaining to the relief assistance awarded to various cities and counties in Virginia for Tropical

Depression Ida and the Nor'easter in 2009. These records were released in full. (Case Number FEMA 2013-FEFO-00926.)

- On December 3, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Tim Novak**, a reporter with the *Chicago Sun Times* in Chicago, Illinois, 308 pages of records pertaining to TUR Partners Metropolitan Regional Center LLC's application to be an EB-5 regional center. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 3, 4, 6, 7(C), and 7(E). (Case Number USCIS COW2014000583.)
- On December 3, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Martha Mendoza**, a writer with the *Associated Press* in Santa Cruz, California, 29 pages of records consisting of e-mails between NPPD and Google. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 6. (Case Number NPPD 2014-NPFO-00210.)

IV. Freedom of Information Act Appeals

- NSTR

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *Prison Legal News v. Department of Homeland Security* (W.D. Wash. 14-cv-00479), plaintiff filed a Freedom of Information Act request on August 7, 2013, seeking a copy of contracts and other records pertaining to the provision of telephone services to U.S. Immigration and Customs Enforcement (ICE) detainees held in facilities operated by the GEO Group. Plaintiff filed suit on April 2, 2014, claiming constructive denial. On November 21, 2014, ICE released 38 pages of GEO corrections policy and procedure guidance.
- In the matter of *American Civil Liberties Union v. Department of Homeland Security* (S.D.N.Y. 11-cv-3786), plaintiffs filed a Freedom of Information Act request on January 13, 2009, seeking records regarding Post Order Custody Review. Plaintiffs filed suit on June 3, 2011, claiming constructive denial. Pursuant to the Court's September 2013 order, U.S. Immigration and Customs Enforcement (ICE) and the plaintiffs are negotiating the scope of a sample production of the records. On November 21, 2014, ICE released the eighth production of 505 pages of sample Post Order Custody Review records.
- In the matter of *Stevens v. Department of Homeland Security* (N.D. Ill. 14-cv-03305), plaintiff filed four Freedom of Information Act requests in fiscal years 2013 through 2014 seeking records pertaining to staffing plans at U.S. Immigration and Customs Enforcement (ICE) detention facilities, detainee grievances, and the voluntary work program for ICE detainees. Plaintiff filed suit on May 6, 2014, claiming constructive denial on all four Freedom of Information Act requests. On November 24, 2014, ICE made its fourth interim release of 515 pages of detainee grievance forms from the Stewart Detention Center.

- In the matter of *American Immigration Council v Department of Homeland Security* (D.D.C. 12-cv-00856), plaintiffs filed a Freedom of Information Act request on March 14, 2011, seeking records pertaining to an alien's right to have counsel present during interactions with U.S. Immigration and Customs Enforcement (ICE). Plaintiffs filed suit on May 31, 2012, claiming constructive denial. On November 24, 2014, ICE made its third supplemental release of 44 pages of records from the El Paso and Miami Field Offices.
- In the matter of *Poulsen v. Department of Homeland Security* (D.D.C. 13-cv-00498), plaintiff filed a Freedom of Information Act request on February 4, 2013, seeking records pertaining to Aaron Swartz. Plaintiff filed suit on April 12, 2013, claiming the United States Secret Service (USSS) wrongfully withheld records from plaintiff by failing to comply with the statutory time limit for rendering a decision on plaintiff's appeal dated, March 1, 2013. On December 2, 2014, USSS released its twenty-third interim release of 34 pages of records.
- In the matter of *All Party Parliamentary Group on Extraordinary Rendition, et al. v Department of Defense, et al.* (D.D.C. 9-cv-02375), the plaintiff filed a complaint on December 16, 2009, seeking release of records pertaining to extraordinary rendition, secret detention, and coercive interrogation of individuals by the United States. On December 2, 2014, the complaint against Department of Homeland Security (DHS), Office of Inspector General (OIG) was dismissed with prejudice.

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 4 - 10, 2014

Privacy Office

December 15, 2014

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 6, 2014, **Alison Young**, a reporter with *USA Today* in McLean, Virginia, requested from the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) the following records: (1) meeting minutes from Plum Island Animal Disease Center Institutional Biosafety Committee meetings from January 1, 2013, through December 10, 2014; and (2) records pertaining to reports of incidents, accidents, violations, exposures and potential exposures, or other issues reported under the National Institutes of Health guidelines from January 1, 2012, through December 10, 2014. (Case Number S&T 2015-STFO-016.)
- On December 6, 2014, **Alison Young**, a reporter with *USA Today* in McLean, Virginia, requested from the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) records pertaining to Plum Island Animal Disease Center laboratory incident reports from January 1, 2013, through December 10, 2014. (Case Number S&T 2015-STFO-017.)
- On December 8, 2014, **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to purchases and reimbursements including the keyword “Hooters” in fiscal years 2013 through 2014. (Case Number 2015-HQFO-00120.)
- On December 9, 2014, **Patrick Michels**, a reporter with *The Texas Observer* in Austin, Texas, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) the following records: (1) an overview of investigations by DHS-OIG in Laredo, Brownsville, and McAllen, from January 1, 2008, through December 8, 2014; (2) a copy of the full Report of Investigation for three specified investigations on CBP and ICE, including any records of administrative action taken; and (3) records pertaining to a third party. (Case Number OIG 2015-053.)

Late requests

- On July 16, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to an incident on June 26, 2014, on the Tohono O’Odham Indian Reservation in which one or more Mexican military helicopters reportedly entered U.S. airspace and fired shots in the vicinity of U.S. Border Patrol personnel. (Case Number CBP-2014-037059.)

- On October 27, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting in Emeryville, California*, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) records pertaining to the segregation of detainees in ICE Enforcement and Removal Operations custody; (2) records pertaining to detention facilities requiring heightened review as designated by the Detention Monitoring Council; (3) records pertaining to medical referrals to the ICE Health Services Corps; (4) records pertaining to weekly reports from the Enforcement and Removal Operations Custody Management Division; and (5) records pertaining to Detention Monitoring Council meetings from September 1, 2013, through the present. (Case Number ICE 2015-ICFO-04596.)
- On November 21, 2014, **Erin Richey**, a reporter with the *Engineering News-Record* in St Louis, Missouri, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) a copy of all Notices of Discrepancies, Notices of Suspect Documents, Notices of Technical or Procedural Failures, Warning Notices, and Notices of Intent to Fine sent to companies in the course of Form I-9 audits announced by Notice of Inspection in 2013; and (2) logs used to track the status of the Form I-9 audits. (Case Number ICE 2015-ICFO-08060.)
- On November 25, 2014, **Omar Jadwat**, a representative with the **American Civil Liberties Union** in Washington, DC, and **Jennifer Podkul**, a representative with the **Women's Refugee Commission** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Juvenile Referral Program. (Case Number CBP-2015-007191.)
- On November 28, 2014, **Erin Tennant**, a freelance journalist with *NBCNews.com* in New York, New York, requested from the United States Citizenship and Immigration Services (USCIS) statistical data pertaining to the number of occasions that an alien has been deemed inadmissible to the U.S. for reasons of moral turpitude under section 212(a)(2)(a)(i)(I) of the Immigration and Nationality Act, including a breakdown on the number of inadmissible aliens by country and by offense type for each year from 2009 through 2014. (Case Number USCIS COW2014000827.)
- On November 28, 2014, **Seth Wessler**, a senior fellow with the **Schuster Institute for Investigative Journalism** at Brandeis University in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) the following records: (1) records pertaining to Humanitarian Parole Requests; and (2) records pertaining to the Humanitarian Parole case of (b)(6) (Case Number ICE 2015-ICFO-08214.)
- On December 2, 2014, **Steven Emerson**, President with *SAE Productions* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to Secretary Jeh Johnson's meeting on November 13, 2014, with Muslim community leaders at the Islamic Center of San Gabriel Valley in Rowland Heights. (Case Number 2015-HQFO-00123.)
- On December 2, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from the United States Citizenship and

Immigration Services (USCIS) a copy of the Alien file for (b)(6)
(Case Number USCIS COW2014000820.)

- On December 3, 2014, **Randy Herschaft**, a reporter with the *Associated Press* in New York, New York, requested from United States Citizenship and Immigration Services (USCIS) a copy of the Alien file for the late Johann Hansl. (Case Number USCIS COW2014000826.)
- On December 3, 2014, **Kathleen Kilpatrick**, a representative with *Al Jazeera America* in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Use of Force Incident Report regarding the September 3, 2012 shooting of Guillermo Arevalo Pedraza. (Case Number CBP-2015-007859.)
- On December 3, 2014, **Michael Kaufman**, a representative with the **American Civil Liberties Union of Southern California** in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the arrest and detention of a named individual at the San Ysidro port of entry on June 28, 2014. (Case Number: CBP-2015-007880.)

III. Freedom of Information Act Releases

- On December 5, 2014, the Federal Law Enforcement Training Centers (FLETC) issued to **Thomas Jones**, an individual in Edgewater, Maryland, a no records determination in response to his request seeking records of correspondence between FLETC and Senator Ted Cruz (R-TX) or his staff pertaining to: (1) legislation or regulations; (2) recommendations for executive branch positions or appointments; or (3) support or opposition to federal funding for programs, projects, or companies. (Case Number FLETC FOIA 15-016.)
- On December 5, 2014, the Department of Homeland Security (DHS) released to **Alexa O'Brien**, a representative with **MuckRock News** in Boston, Massachusetts, 59 pages of records consisting of reports, memoranda, and other records pertaining to the WikiLeaks organization. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5 and 6. (Case Number 2014-HQFO-00181.)
- On December 5, 2014, the Department of Homeland Security (DHS) released to **Saad Kamal**, an analyst with **Washington Analysis, LLC** in Washington, DC, 14 pages of records consisting of correspondence pertaining to Rapisca. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, and 7(E). (Case Number 2014-HQFO-00316.)
- On December 5, 2014, the Department of Homeland Security (DHS) released to **Michael Evans**, a representative with **The National Security Archive** in Washington, DC, 30 pages of records consisting of briefing papers and talking points pertaining to the Executive Repatriation Policy Steering Group. Portions of the release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C), and 7(E). (Case Number 2014-HQFO-00630.)
- On December 8, 2014, the Department of Homeland Security (DHS), issued to **Sean Dunagan**, a representative with **Judicial Watch** in Washington, DC, a no records determination in response to his request seeking the following records: (1) records pertaining to the authorization of DHS Deputy Managing Counsel

Prudence Beidler Carr to serve on the Board of Directors of the Insight Center for Community Economic Development; and (2) a copy of e-mails from the official DHS e-mail account of Ms. Carr to or from any e-mail address terminating in the domain “@insightcced.org” from October 1, 2012, through the present. (Case Number 2014-HQFO-00459.)

- On December 8, 2014, the Federal Emergency Management Agency (FEMA) released to **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, 10,980 pages of records consisting of training materials used during FEMA’s Hazards United States - Multi Hazard training in 2012 and 2013. These records were released in full. (Case Number FEMA 2013-FEFO-00843.)
- On December 10, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Joshua Smith**, a reporter with the *San Diego CityBeat* in San Diego, California, one page of records containing statistical data pertaining to T-Visa applications received, approved, and denied from 2008 through the present. Portions of the release were withheld pursuant to Freedom of Information Act Exemption 3. (Case Number USCIS COW2014000653.)

IV. Freedom of Information Act Appeals

- On December 8, 2014, **Omar Jadwat**, a representative with the **American Civil Liberties Union** in Washington, DC, and **Jennifer Podkul**, a representative with the **Women’s Refugee Commission** in New York, New York, appealed U.S. Customs and Border Protection’s (CBP) denial of their request for expedited treatment regarding their request seeking records pertaining to the Juvenile Referral Program. (Case Number CBP-AP-2015-008573.)

V. Freedom of Information Act Appeals Releases

- NSTR

VI. Litigation

- In the matter of *National Immigrant Justice Center v. Department of Homeland Security* (N.D. Ill. 12-cv-05358), plaintiff filed a Freedom of Information Act request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements 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 December 5, 2014, ICE released its sixteenth supplemental release of 1,220 pages of Enforcement and Removal Operations detention facility inspection reports.

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