

From: [Papoi, Catherine](#)
To: [Callahan, Mary Ellen](#)
Subject: Re: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010
Date: Wednesday, January 13, 2010 7:52:14 AM

Working with Sandra to get some time on your schedule. This is the first time the front office flagged an appeal and it was just last week (about the same time they notified me they want to review anything on our weekly reports which would include appeals-see 1/11 email re same).

C

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: (b) (6) / Fax: 703.235.0443

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From: Callahan, Mary Ellen
To: Papoi, Catherine
Cc: Palmer, David
Sent: Tue Jan 12 17:23:28 2010
Subject: Re: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

Let's discuss tomorrow, (b) (6)
Also hadn't realized that appeals were being submitted. Pls get some time on my schedule abt this and some other admin points. Tx. Mec

Mary Ellen Callahan
Chief Privacy Officer
Department of Homeland Security
Work: (b) (6)
Cell: (b) (6)

From: Papoi, Catherine
To: Fox, Julia; Grossman, Jordan
Cc: catherine.papoi@dhs.gov; <catherine.papoi@dhs.gov>; Callahan, Mary Ellen
Sent: Tue Jan 12 17:19:29 2010
Subject: Re: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

Actually, all of the appeals are drafted by counsel so this is the work product of one of the OGC attorneys.

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From: Fox, Julia
To: Papoi, Catherine; Grossman, Jordan
Cc: 'Papoi, Catherine' <Catherine.Papoi@dhs.gov>
Sent: Tue Jan 12 17:15:01 2010
Subject: RE: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

Sorry about the delay. We asked OGC to take a look at it and are waiting to hear back from them – we will get back to you as son as possible.

Thank you,
Julia

From: Papoi, Catherine
Sent: Wednesday, January 06, 2010 3:54 PM

To: Grossman, Jordan; Fox, Julia
Cc: Papoi, Catherine
Subject: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

Jordan and Julia,

CBP forwarded the attached appeal response for your review (I also attached the initial documents). Pursuant to your September 30, 2009 email, your office will review the release and provide a response to my office within three days of receipt. Please let me know as soon as you have finalized your review. Thank you!

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From: SUZUKI, SHARI [mailto:shari.suzuki@dhs.gov]
Sent: Wednesday, January 06, 2010 11:36 AM
To: Papoi, Catherine
Cc: LANGREICH, ANDREW
Subject: RE: ***FRONT OFFICE REVIEW NOTIFICATION*** for November 21-present

Catherine,

I am attaching CBP's proposed response to the FOIA appeal filed by the Associated Press that was "flagged" for Front Office Review. I have attached the word document. Please let me know if you would prefer a document on CBP letterhead

(which would be in adobe format). Also, please let me know if you require any background information (initial request, initial response, responsive documents, etc.).

Please do not hesitate to contact Andrew Langreich or myself if you have any questions or concerns.

Regards,
shari

Shari Suzuki, Chief
FOIA Appeals, Policy & Litigation Branch
Regulations and Disclosure Law Division
Office of International Trade
U.S. Customs & Border Protection
799 Ninth Street NW, Mint Annex
Washington DC 20229
Direct Dial (b) (6)
Fax 202.325.0152

From: Papoi, Catherine [mailto:Catherine.Papoi@dhs.gov]
Sent: Monday, December 07, 2009 1:49 PM
To: FOIA Officers
Cc: Papoi, Catherine
Subject: ***FRONT OFFICE REVIEW NOTIFICATION*** for November 21-present
Importance: High

Please review the below list and determine if your component will be responding to any of the requests. Be aware that a request may not have been sent to you directly, but instead come to you as a referral from my office or another component. **Prior to final release, the DHS HQ Front Office will review the responses to the below FOIA requests. I will coordinate the process.** When your component finalizes the release, please forward the response letter and documents for release in a single .pdf file to Catherine.papoi@dhs.gov. Again, **it is very important that your office not send the response to the requester until I notify you that the response has been reviewed and is cleared to be sent to the requester.** If your office has already responded to one of the below requests, please forward the entire release package (letter and records) to me via email immediately. Thank you for your continued work on this "One DHS" coordination effort.

Catherine

Week of December 7, 2009:

- On November 27, 2009, **Anna Fry**, a representative of the *Rogers Morning News*, in Rogers, Arkansas, requested from Immigration and Customs Enforcement (ICE) statistics on the number of criminal aliens in Benton and Washington Counties, Arkansas identified under ICE's Secure Communities Program.
- On November 30, 2009, **Carrie Kahn**, a representative of the *National Public Radio*, in Culver City, California, requested from Immigration and Customs Enforcement (ICE) records related to an appeal of a Merit Systems Protection Board's decision, specifically a copy of the case file for Docket Number DA-0752-09-0332-I-1.
- On November 30, 2009, **Gili Shenhar**, a senior researcher with the **Gertner Institute for Epidemiology and Health Policy Research, Tel Aviv University (TAU)**, in Tel Aviv, Israel, requested from the Federal Emergency Management Agency (FEMA) a copy of the questionnaire that is used for emergency preparedness evaluation.
- On November 30, 2009, **Sharon Theimer**, a reporter with the **Associated Press (AP)**, in Washington, D.C., requested from the United States Secret Service (USSS) copies of any photographs, audio, or video of Michael Salahi and/or Tareq Salahi taken November 24, 2009, and November 25, 2009.
- On December 1, 2009, **Sean Riordan**, a staff attorney with the **American Civil Liberties Union (ACLU)**, in San Diego, California, requested from Immigration and Customs Enforcement (ICE) the medical records of their client who is confined in the San Diego Correctional Facility.
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- On December 1, 2009, **Brooke Williams**, an investigative reporter with the **Watchdog Institute**, in San Diego, California, requested from the Office of Inspector General (OIG) records related to an audit conducted in San Diego to determine costs of wildfire cleanup, specifically seeking correspondence that contain information relating to a construction company, its owners, or employees and the city of San Diego.
- On December 2, 2009, **Gervasio Morales Rodríguez**, Director of *Claridad* (Spanish-language weekly newspaper), in San Juan, Puerto Rico, requested from the United States Coast Guard (USCG) records concerning the deaths of Puerto Rican pro-independent leaders,

specifically any information regarding the death of Juan Mari Brás, Paquita Pesquera Cantellops, and Santiago "Chagui" Mari Pesquera.

- On December 3, 2009, **Kevin McKeon**, an individual in Washington, D.C., requested from the Department of Homeland Security (DHS) correspondence between three former Members of Congress, their staff, and the Department.
- On December 4, 2009, **Suzanne Gamboa**, a representative of the *Associated Press (AP)*, in Washington, D.C., requested from the Department of Homeland Security (DHS) records relating to meetings on immigration reform held by Secretary Napolitano or DHS, including the names, affiliation and title of those in attendance of those meetings.

Week of November 30:

- On November 23, 2009, **Joel Thomas Shackleford**, an attorney with **Green de Bortnowsky & Quintanilla**, in Calabasas, California, requested from the United States Citizenship and Immigration Services (USCIS) records concerning CMB Export, CMB Infrastructure Investment Group, &/or Patrick Hogan or William Hurley. This request is related to EB-5 category requests.
- On November 24, 2009, **Morgan J.C. Scudi**, an attorney with **Scudi Johnson & Ayers**, in San Diego, California, requested from the United States Citizenship and Immigration Services (USCIS) records concerning the establishment of the South Dakota International Business Institute (SDIBI) as a USCIS designated Regional Center. This request is related to EB-5 category requests.
- On November 24, 2009, **Karen Kaiser**, Assistant General Counsel for *The Associated Press (AP)*, in New York, New York, appealed the September 24, 2009, response by U.S. Customs and Border Protection (CBP) to the July 23, 2009, FOIA request from the AP, requesting a copy of the prioritized list of 163 land ports of entry owned by Customs and Border Protection and the General Services Administration.

Week of November 21, 2009:

- On November 13, 2009, **David Shaffer**, a journalist for *The Star Tribune of Minneapolis*, in Minneapolis, Minnesota, requested from the United States Citizenship and Immigration Services (USCIS) a copy of all Notices of Intent to Deny (NOID) and all Requests for Evidence (RFE) issued in international child adoption cases to include the date of issue, country of origin, name of orphanage or care center, name of the United States adoption agency handling the adoption, age and sex of child, the state to which the child is proposed to be adopted, and the final disposition of the NOID/RFE with a summary of the reasons for agency action. Request has been closed as a Failure to Comply.

- On November 13, 2009, **David Alexander**, an attorney with **Masuda Funai**, in Chicago, Illinois, requested from the United States Citizenship and Immigration Services (USCIS) any information regarding the Chicagoland Foreign Investment Group Regional Center and the American Life Seattle Regional Center.
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- On November 16, 2009, **Steven Lee Craig**, an individual from Del City, Oklahoma, requested from the United States Citizenship and Immigration Services (USCIS) all information, documents, memorandum, faxes, e-mails, opinions, legal opinions, conference notes and other communications related to the publication of paragraph item found on page four of "The Citizen's Almanac", M-76 specific to: The Right to Run for Elected Office.
- On November 17, 2009, **Andrew Becker**, a staff reporter with the **Center for Investigative Reporting**, in Berkeley, California, requested from the Office of Inspector General (OIG) an investigative report concerning a third party.
- On November 17, 2009, **Patrick Reynolds**, an individual from Branchdale, Pennsylvania, requested from the United States Secret Service (USSS) all records to any visit that the following individuals made to the White House from 12:00 p.m. on January 20, 2009, to the present: Van Jones, William Ayers (ACORN founder), John Murtha and Arlen Specter.
- On November 19, 2009, **Michael Ravnitzky**, an individual from Silver Spring, Maryland, requested from the Department of Homeland Security (DHS) reports produced for congress by DHS, during the past three years, and which are not posted on the DHS public website.
- On November 19, 2009, the United States Department of Commerce referred to the Department of Homeland Security (DHS) documents responsive to a March 31, 2008, request from **Taylor Lincoln of Public Citizen** in Washington, D.C., seeking records concerning specific individuals or businesses that have lobbied the U.S. Department of Commerce since 2004 (listed by name in the request).

Catherine Papoi, J.D., CIPP/G
 Deputy Chief FOIA Officer
 Director, Departmental Disclosure & FOIA
 U.S. Department of Homeland Security
 Washington, D.C. 20528
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From: [Papoi, Catherine](#)
To: [Bellisime, Tracy A](#); [Papoi, Catherine](#); [Kloiber, Joyce E](#);
[Bellisime, Tracy A](#);
Subject: RE: REQUEST FOR REVIEW
Date: Wednesday, January 13, 2010 10:11:00 AM

Go ahead and move forward based on the plan detailed below. Thanks!

C

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
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From: [Bellisime, Tracy A](#) [mailto:tracy.bellisime@dhs.gov]
Sent: Wednesday, January 13, 2010 8:48 AM
To: Papoi, Catherine; Kloiber, Joyce E; [Bellisime, Tracy A](#)
Subject: RE: REQUEST FOR REVIEW

Well, you know, we had a set of responsive records that we were going to go through with your while you were here, but that trip got cancelled.

b5



b5



Does this help clarify why we did this? And, before you wonder if we just pulled this out of thin air, we did discuss it with b5

But, as always, we are here to please so, if you feel we are still in error, we will be more than happy to re-review. Keep in mind that these records are quite large, typically over thousands of pages.

Please let us know! We are here to serve.

Tracy A. Bellisime
Supervisory Paralegal Specialist
USCIS FOIA Operations Unit
816-350-5524

From: Papoi, Catherine [mailto:Catherine.Papoi@dhs.gov]
Sent: Tuesday, January 12, 2010 12:53 PM
To: Kloiber, Joyce E; Papoi, Catherine; Bellisime, Tracy A
Subject: RE: REQUEST FOR REVIEW

Did we ever resolve this issue?

C

Catherine Papoi, J.D., CIPP/G
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Director, Departmental Disclosure & FOIA
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From: **Kloiber, Joyce E** [mailto:**joyce.kloiber@dhs.gov**]
Sent: Wednesday, December 09, 2009 11:18 AM
To: **Papoi, Catherine**
Cc: **Bellisime, Tracy A**
Subject: REQUEST FOR REVIEW
Importance: High

Catherine,

The entries below are from the “FRONT OFFICE REVIEW NOTIFICATION” sent Dec 7th.

b5



On November 23, 2009, **Joel Thomas Shackelford**, an attorney with **Green de Bortnowsky & Quintanilla**, in Calabasas, California, requested from the United States Citizenship and Immigration Services (USCIS) records concerning CMB Export, CMB Infrastructure Investment Group, &/or **(b) (6)** or **(b) (6)**. This request is related to EB-5 category requests.

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establishment of the South Dakota International Business Institute (SDIBI) as a USCIS designated Regional Center. This request is related to EB-5 category requests.

Thanks

Joyce Kloiber

Paralegal Spec

NRC, FOIA Ops, Special Interest

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From: [Fox, Julia](#)
To: [Papoi, Catherine](#); [Grossman, Jordan](#);
Subject: RE: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010
Date: Wednesday, January 13, 2010 12:28:08 PM

Great, thank you.

From: Papoi, Catherine [mailto:Catherine.Papoi@dhs.gov]
Sent: Wednesday, January 13, 2010 12:22 PM
To: Papoi, Catherine; Fox, Julia; Grossman, Jordan
Subject: RE: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

It is my understanding that David Palmer is working directly with the CBP attorney on this case, therefore, I am closing it out of my tracking system. Agreed?

C

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From: Papoi, Catherine [mailto:Catherine.Papoi@dhs.gov]
Sent: Tuesday, January 12, 2010 5:19 PM
To: Fox, Julia; Grossman, Jordan
Cc: Papoi, Catherine; Callahan, Mary Ellen
Subject: Re: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

Actually, all of the appeals are drafted by counsel so this is the work product of one of the OGC attorneys.

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To: Papoi, Catherine; Grossman, Jordan
Cc: 'Papoi, Catherine' <Catherine.Papoi@dhs.gov>
Sent: Tue Jan 12 17:15:01 2010
Subject: RE: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

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Thank you,
Julia

From: Papoi, Catherine
Sent: Wednesday, January 06, 2010 3:54 PM
To: Grossman, Jordan; Fox, Julia
Cc: Papoi, Catherine
Subject: ***FRONT OFFICE REVIEW REQUESTED*** January 6, 2010

Jordan and Julia,

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From: SUZUKI, SHARI [mailto:shari.suzuki@dhs.gov]
Sent: Wednesday, January 06, 2010 11:36 AM
To: Papoi, Catherine
Cc: LANGREICH, ANDREW
Subject: RE: ***FRONT OFFICE REVIEW NOTIFICATION*** for November 21-present

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Please do not hesitate to contact Andrew Langreich or myself if you have any questions or concerns.

Regards,
shari
Shari Suzuki, Chief
FOIA Appeals, Policy & Litigation Branch
Regulations and Disclosure Law Division

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U.S. Customs & Border Protection
799 Ninth Street NW, Mint Annex
Washington DC 20229
Direct Dial (b) (6)
Fax 202.325.0152

From: Papoi, Catherine [mailto:Catherine.Papoi@dhs.gov]
Sent: Monday, December 07, 2009 1:49 PM
To: FOIA Officers
Cc: Papoi, Catherine
Subject: ***FRONT OFFICE REVIEW NOTIFICATION*** for November 21-present
Importance: High

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From: [Papoi, Catherine](#)
To: william.holzerland@dhs.gov
Subject: Re: FOIA Annual Report
Date: Thursday, January 14, 2010 2:21:19 PM

I figured...

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: (b) (6) / Fax: 703.235.0443

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From: Holzerland, William <William.Holzerland@dhs.gov>
To: Papoi, Catherine <Catherine.Papoi@dhs.gov>
Sent: Thu Jan 14 14:12:47 2010
Subject: RE: FOIA Annual Report

Of course, I am already on it!

From: Papoi, Catherine [mailto:Catherine.Papoi@dhs.gov]
Sent: Thursday, January 14, 2010 2:11 PM
To: Holzerland, William
Subject: RE: FOIA Annual Report

I agree! At least we have the appeal memo all set to go. Are you reaching out to Pat Nolan on when Mark wants this?

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528

Phone: 703.235.0790/Fax: 703.235.0443

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From: Holzerland, William [mailto:William.Holzerland@dhs.gov]
Sent: Thursday, January 14, 2010 2:03 PM
To: Papoi, Catherine
Subject: Re: FOIA Annual Report

That's what I am wondering. That aside, we share Mark's concerns about appeal numbers and the outlying number (like the 10oldest, etc). This is a serious opportunity to air some of these issues out w/S2 and get some SERIOUS muscle behind us though.

William H. Holzerland, CIPP/G
U.S. Department of Homeland Security
Associate Director,
Disclosure Policy & FOIA Program Development
(703) 235-0790

From: Papoi, Catherine <Catherine.Papoi@dhs.gov>
To: Holzerland, William <William.Holzerland@dhs.gov>
Sent: Thu Jan 14 13:57:11 2010
Subject: RE: FOIA Annual Report

What does her email mean?? He wants a report on the report?? Before this goes out the door?????

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: Holzerland, William [mailto:William.Holzerland@dhs.gov]
Sent: Thursday, January 14, 2010 1:55 PM
To: Papoi, Catherine
Subject: Fw: FOIA Annual Report

!!!

William H. Holzerland, CIPP/G
U.S. Department of Homeland Security
Associate Director,
Disclosure Policy & FOIA Program Development
(703) 235-0790

From: Nolan, Patricia
To: Holzerland, William; Hawkins, Sandra L.
Cc: 'Callahan, Mary Ellen' <Mary.Ellen.Callahan@dhs.gov>; 'Papoi, Catherine' <Catherine.Papoi@dhs.gov>; Saunders, Diane; Allen-Gifford, Patrice; Williams, Derrick
Sent: Thu Jan 14 13:32:14 2010
Subject: RE: FOIA Annual Report

Bill/Sandy,

Thank you so much. We'll get this back up to the Front Office right away. Please note, Mark Dayton has asked that "PRIV prepare a briefing on this report and history of progress for S2. I have some concerns about appeal times and outliers generally." You can submit that scheduling request to S2's office through the normal scheduling process.

Patricia Nolan
Component Liaison Officer
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)

Cell: (b) (6)

From: Holzerland, William
Sent: Thursday, January 14, 2010 1:16 PM
To: Nolan, Patricia; Hawkins, Sandra L.
Cc: 'Callahan, Mary Ellen'; 'Papoi, Catherine'; Saunders, Diane; Allen-Gifford, Patrice; Williams, Derrick
Subject: RE: FOIA Annual Report

Tricia,

Attached is the edited version of the report along with the comment matrix. Please let me know if there are further questions.

Thank you,
Bill

From: Nolan, Patricia
Sent: Thursday, January 14, 2010 12:19 PM
To: Hawkins, Sandra L.; Holzerland, William
Cc: 'Callahan, Mary Ellen'; 'Papoi, Catherine'; Saunders, Diane; Allen-Gifford, Patrice; Williams, Derrick
Subject: RE: FOIA Annual Report

Sandy,

I would recommend using the attached matrix.

Tricia

Patricia Nolan
Component Liaison Officer
Office of the Executive Secretary
Department of Homeland Security

Office: (b) (6)

Cell (b) (6)

From: Hawkins, Sandra L.
Sent: Thursday, January 14, 2010 12:13 PM
To: Nolan, Patricia; Holzerland, William
Cc: 'Callahan, Mary Ellen'; 'Papoi, Catherine'; Saunders, Diane; Allen-Gifford, Patrice; Williams, Derrick
Subject: RE: FOIA Annual Report

Tricia,

Please advise if we are required to submit comments in the actual report or do you have a comments matrix that we can use.

Thank you.

Sandy

Sandra L. Hawkins
Director of Administration
Privacy Office
U.S. Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0550
Arlington, VA 20598-0550
Telephone: (b) (6)
Fax: (703) 235-0442
E-mail: Sandra.L.Hawkins@dhs.gov

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From: Nolan, Patricia
Sent: Thursday, January 14, 2010 11:57 AM
To: Holzerland, William
Cc: 'Callahan, Mary Ellen'; 'Papoi, Catherine'; Hawkins, Sandra L.; Saunders, Diane; Allen-Gifford, Patrice; Williams, Derrick
Subject: RE: FOIA Annual Report

Bill,

Have Mark Dayton's comments been reconciled yet? We know this needs to get to DOJ soon, so as soon as we receive the edited document, we'll send it to S1 for final approval.

Thanks,
Tricia

Patricia Nolan
Component Liaison Officer
Office of the Executive Secretary
Department of Homeland Security

Office: (b) (6)

Cell: (b) (6)

From: Nolan, Patricia
Sent: Wednesday, January 13, 2010 10:35 AM
To: Holzerland, William
Cc: 'Callahan, Mary Ellen'; 'Papoi, Catherine'; Hawkins, Sandra L.; Saunders, Diane;
Allen-Gifford, Patrice; Williams, Derrick
Subject: RE: FOIA Annual Report
Importance: High

Bill,

Thank you for providing the Word version. I've attached a copy with Mark Dayton's edits (mainly comments). Once these comments are adjudicated and we receive the edited version, we can move the package to S1's office for final approval. Please let me know if you have any questions. Thank you for your assistance.

V/r,
Tricia

Patricia Nolan
Component Liaison Officer
Office of the Executive Secretary
Department of Homeland Security

Office: (b) (6)

Cell: (b) (6)

From: Holzerland, William
Sent: Wednesday, January 13, 2010 10:24 AM
To: Nolan, Patricia
Cc: Callahan, Mary Ellen; Papoi, Catherine; Hawkins, Sandra L.
Subject: RE: FOIA Annual Report
Importance: High

Good morning Ms. Nolan,

Attached is a Word version of the FY09 FOIA Annual Report per your request.
Regards,
Bill

William H. Holzerland, CIPP/G
U.S. Department of Homeland Security
Associate Director,
Disclosure Policy & FOIA Program Development
(703) 235-0790

From: Hawkins, Sandra L. [mailto:Sandra.L.Hawkins@dhs.gov]
Sent: Wednesday, January 13, 2010 10:03 AM
To: Holzerland, William
Cc: Callahan, Mary Ellen; Papoi, Catherine
Subject: FOIA Annual Report
Importance: High

Bill -

At your convenience, please send a word version of the FOIA Annual Report to Patricia.Nolan@hq.dhs.gov. Mark Dayton had comments and she would like to input them in the report and send it back to us for review.

Thank you.

Sandy

Sandra L. Hawkins
Director of Administration
Privacy Office
U.S. Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0550
Arlington, VA 20598-0550
Telephone: (b) (6)
Fax: (703) 235-0442
E-mail: Sandra.L.Hawkins@dhs.gov

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From: [Fox, Julia](#)
To: [CBPTASKING](#); [TEZAK, JOSEPH E](#); [BELL, CHRISTINA A](#); [STACEY, ANNE-MARIE](#); [Kaufman, Gail](#); [Hogan, Megan](#); [Schmidt, Julie](#); [Flores, Gina](#); [Lockett, Vania](#); [Johnson, Denise](#); [Holmes, Tequilla](#)
Subject: Weekly Reporting Next Week
Date: Thursday, January 14, 2010 5:04:12 PM

Hi all,

In light of the holiday next Monday, next week's reports will be due by 12 noon Tuesday, January 19th. I will send follow-up questions out by first thing Wednesday morning, and the rest of the schedule will proceed as usual.

Please let me know if there are any questions.

Thank you!

Julia

Julia Fox
Special Assistant
Office of the Chief of Staff | Office of the Secretary
Department of Homeland Security
(b) (6) (w) | (b) (6) (c)
julia.fox@dhs.gov

From: [Fox, Julia](#)
To: [Papoi, Catherine](#); [Grossman, Jordan](#);
cc: ["Papoi, Catherine"](#);
Subject: RE: ***FRONT OFFICE REVIEW REQUEST*** January 12, 2010
Date: Thursday, January 14, 2010 5:45:00 PM

We have finalized our review. Thank you!

From: Papoi, Catherine
Sent: Tuesday, January 12, 2010 1:19 PM
To: Grossman, Jordan; Fox, Julia
Cc: Papoi, Catherine
Subject: ***FRONT OFFICE REVIEW REQUEST*** January 12, 2010

Jordan and Julia,

Privacy forwarded the attached incoming request and proposed response for your review. Pursuant to your September 30, 2009 email, your office will review the release and provide a response to my office within three days of receipt. Please let me know as soon as you have finalized your review. Thank you.

C

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: (b) (6)
Sent: Tuesday, January 12, 2010 12:10 PM
To: Papoi, Catherine

Cc: Lockett, Vania
Subject: DHS/OS/PRIV 10-0174

Catherine,

This request was flagged for review by the Front Office. I have attached the initial request letter, final acknowledgement letter, responsive records and ESEC clearance email.

r,

(b) (6) *MHR, CIPP/G*

FOIA Program Specialist

Privacy Office

U.S. Department of Homeland Security

Main: 1.866.431.0486 or 703.235.0790

Direct: (b) (6)

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From: [Papoi, Catherine](#)
To: [Lockett, Vania](#);
Subject: Re: OGC
Date: Thursday, January 14, 2010 7:52:33 AM

That works

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
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From: Lockett, Vania
To: Papoi, Catherine
Sent: Thu Jan 14 07:51:26 2010
Subject: RE: OGC

We are sending anything that requires a Front Office search to Mark Dorgan now, but if we are seeking a search for something like Congressional correspondence, can we continue to send such requests to Exec Sec, as the only search required would be a search of ECT and/or ESEC shared drive?

Thanks.

Vania

From: Papoi, Catherine
Sent: Thursday, January 14, 2010 7:42 AM
To: Lockett, Vania
Subject: Re: OGC

Now we aren't sending materials to exec sec right?

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
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From: Lockett, Vania
To: Papoi, Catherine
Sent: Thu Jan 14 07:34:57 2010
Subject: RE: OGC

Catherine – we're tasking Mia Day directly with the OGC requests. The only exceptions are those requests where Exec Sec sent materials to John Sandweg, and I don't believe either Mia or David Palmer were looped in on those requests.

Vania

From: Papoi, Catherine
Sent: Wednesday, January 13, 2010 2:04 PM
To: Lockett, Vania
Subject: OGC

Are we still tasking Mia Day directly with any OGC requests or are those going through ECT?

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
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From: [Fox, Julia](#)
To: [Lockett, Vania](#)
Subject: RE: (PRIV) Please reply by 4pm today.
Date: Wednesday, July 22, 2009 2:27:20 PM

Thank you!

From: Lockett, Vania
Sent: Wednesday, July 22, 2009 2:21 PM
To: Fox, Julia
Subject: RE: (PRIV) Please reply by 4pm today.

Julia,

The answers to your questions are as follows:

1. What are the enhancements?

We recently changed the layout and design of the ICE FOIA Reading Room to make the site more user-friendly. Previously, all of the records in the reading room were listed by category and displayed on one web-page. This made the web-site extremely long and difficult to navigate. The web site now contains separate links for each section of the reading room, i.e. contracts, audits, annual reports, and statistics

In addition, the reading room is still under construction. Specifically, we are working with the ICE web team to add a search engine, which will allow users to search by a "word" or "phrase" and will retrieve all pertinent documents from the reading room.

2. Are things being posted more frequently?

Yes, new records are being posted to the reading room on a weekly basis. Previously, there were no regularly scheduled updates to the reading room.

3. Is more information now being posted?

Previously, the reading room contained only contracts and annual reports. Currently, the reading room contains over 350 documents, including 287(g) Memorandums of Understanding and Intergovernmental Service Agreements between ICE and Law Enforcement Agencies, 287(g) and detention facility audit reports, collective bargaining agreements, contracts for detention and security services, as well as statistical and annual reports.

Thank you.

Vania T. Lockett, CIPP/G
Acting Departmental Disclosure Officer
Privacy Office
U.S. Department of Homeland Security
Main: 1.866.431.0486 or 703.235.0790
Direct: (b) (6)
Fax: 703.235.0443
Web: <http://www.dhs.gov/foia>

From: Fox, Julia
Sent: Wednesday, July 22, 2009 9:26 AM

To: Lockett, Vania
Subject: (PRIV) Please reply by 4pm today.

Good morning,

One quick follow up questions from the weekly report. Feel free to contact me if you have any questions. Thanks for your help!

What are the enhancements? Are things being posted more frequently, is more information now being posted, etc?

- ICE made significant enhancements to its online FOIA Reading Room. New information is posted to the reading room on a weekly basis.

Julia Fox
Special Assistant
Office of the Chief of Staff | Office of the Secretary
Department of Homeland Security

(b) (6) (w) | (b) (6) c)
julia.fox@dhs.gov

From: [Lockett, Vania](#)
To: [Papoi, Catherine;](#)
Subject: RE: DHS/OS/PRIV 10-0126
Date: Thursday, January 14, 2010 10:10:06 AM

Yes.

From: Papoi, Catherine
Sent: Thursday, January 14, 2010 10:09 AM
To: Lockett, Vania
Subject: FW: DHS/OS/PRIV 10-0126

Is this the same case that mec was trying to clear with amy but told us to send it yesterday?

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: (b) (6)
Sent: Thursday, January 14, 2010 9:33 AM
To: Papoi, Catherine
Subject: DHS/OS/PRIV 10-0126

Catherine,

Attached are the initial request letter and acknowledgement letter for a flagged request. This case is being closed as an improper request.

r,

(b) (6) MHR, CIPP/G

FOIA Program Specialist

Privacy Office

U.S. Department of Homeland Security

Main: 1.866.431.0486 or 703.235.0790

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From: [Papoi, Catherine](#)
To: [Papoi, Catherine](#); [Palmer, David](#);
cc: [Callahan, Mary Ellen](#);
[Anderson, Audrey J](#);
Subject: DHS FOIA Response Templates
Date: Thursday, January 14, 2010 11:46:00 AM

Hi David. Is the meeting for tomorrow still on?

Thanks,
Catherine

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: Papoi, Catherine [mailto:[\[REDACTED\]](#)]
Sent: Wednesday, January 06, 2010 1:14 PM
To: Palmer, David; Papoi, Catherine
Cc: Callahan, Mary Ellen; Anderson, Audrey J
Subject: RE: [FOR REVIEW] DHS FOIA Response Templates

What time is the meeting scheduled for the 15th? I want to make sure I block the time on my calendar. Thanks.

Catherine

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528

Phone: 703.235.0790/Fax: 703.235.0443

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From: Palmer, David [mailto:[REDACTED]]
Sent: Wednesday, December 23, 2009 10:53 AM
To: Papoi, Catherine; Palmer, David
Cc: Lockett, Vania; Callahan, Mary Ellen; Anderson, Audrey J
Subject: Re: [FOR REVIEW] DHS FOIA Response Templates

Yes. Sandweg discussed this with me before he left for the holiday. He and I are going to go over potential changes on January 15.

David J. Palmer

Deputy Associate General Counsel - Legal Counsel

Office of the General Counsel

Department of Homeland Security

[REDACTED] (desk)
[REDACTED] (mobile)
202 282-9186 (fax)

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From: Papoi, Catherine [REDACTED]
To: Papoi, Catherine [REDACTED]; Palmer, David [REDACTED]
[REDACTED]
[REDACTED] Callahan, Mary Ellen <[REDACTED]>
[REDACTED] Anderson, Audrey <Audrey.Anderson@dhs.gov>
Sent: Wed Dec 23 10:49:44 2009
Subject: RE: [FOR REVIEW] DHS FOIA Response Templates

Anything??

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: Papoi, Catherine [mailto: [REDACTED]]
Sent: Thursday, December 17, 2009 2:28 PM
To: Palmer, David
Cc: Lockett, Vania; Callahan, Mary Ellen; Papoi, Catherine; Anderson, Audrey
Subject: RE: [FOR REVIEW] DHS FOIA Response Templates

Any ETA on these?

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: Palmer, David [mailto: [REDACTED]]
Sent: Monday, December 07, 2009 11:19 AM
To: Anderson, Audrey
Cc: Lockett, Vania; Callahan, Mary Ellen; Papoi, Catherine
Subject: FW: [FOR REVIEW] DHS FOIA Response Templates

Thx Vania.

Looping in Audrey.

David J. Palmer
Deputy Associate General Counsel - Legal Counsel
Office of the General Counsel
Department of Homeland Security

[REDACTED] (desk)
[REDACTED] (cell)
202 282-9186 (fax)

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From: Lockett, Vania
Sent: Monday, December 07, 2009 9:37 AM
To: Palmer, David
Cc: Callahan, Mary Ellen; Papoi, Catherine
Subject: [FOR REVIEW] DHS FOIA Response Templates

David,

Attached for your review are copies of our DHS FOIA response templates. Please let me know if you have questions.

Regards,

Vania T. Lockett, CIPP/G
Associate Director, Disclosure & FOIA Operations
Privacy Office
U.S. Department of Homeland Security
Main: 1.866.431.0486 or 703.235.0790
Direct: [REDACTED]
Fax: 703.235.0443
Web: <http://www.dhs.gov/foia>

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From: [Papoi, Catherine](#)
To: (b) (6)
cc: catherine.papoi@dhs.gov
Subject: phone message
Date: Friday, January 15, 2010 3:49:00 PM

Hi, sorry I wasn't available to talk. Go ahead and just send me the letters as an FYI on those flagged cases that you are closing out so that I can just notify the front office and update the tracking system. Thanks.

C

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: [Papoi, Catherine](#)
To: [Dorgan, Mark](#)
Subject: RE: FOIA Search Request (DHS/OS/PRIV 10-0190)
Date: Friday, January 15, 2010 5:30:00 PM

Correct, and I don't want you wasting your time on unnecessary reporting.

C

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: Dorgan, Mark
Sent: Friday, January 15, 2010 5:21 PM
To: Papoi, Catherine
Subject: Re: FOIA Search Request (DHS/OS/PRIV 10-0190)

Phil said he wanted a list of what records were provided and what is overdue. I am thinking I don't have to provide it to him though. He has no stake in responses and he would see any requests that are tasked due to the fact that I request the records through him.

From: Papoi, Catherine
To: Dorgan, Mark
Sent: Fri Jan 15 16:09:12 2010
Subject: RE: FOIA Search Request (DHS/OS/PRIV 10-0190)

What do you mean by "I provide a list of what goes out and comes in every two weeks"? who are you providing a list to and of what requests are

released and received??

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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From: Dorgan, Mark
Sent: Friday, January 15, 2010 3:19 PM
To: Papoi, Catherine
Subject: FW: FOIA Search Request (DHS/OS/PRIV 10-0190)

Catherine,

Just to make sure everyone is on the same page, is this the process you and Mary Ellen were going for? I am good with whatever, as long as I get the documents from them in a timely manner. I am ok with going through the ESEC and the documents may get to me quicker. I just want to make sure that everything shakes out in the Privacy Office's best interests.

Process

- I receive requests
- I task out requests and email them directly to Phil McNamara
- I receive records from (b) (6) and review
- I either provide them to Vania if it is a compiled request, or construct a response and let the record creator review prior to release.

Provide

- I provide a list of what searches are still outstanding
- I provide a list of what goes out and comes in every two weeks (Is this a good idea?)

Mark

From: Murtagh, Sean
Sent: Friday, January 15, 2010 2:44 PM
To: Dorgan, Mark
Subject: RE: FOIA Search Request (DHS/OS/PRIV 10-0190)

Hey Mark,

Phil and I talked a little more about process. When you send new FOIA requests to him (as we discussed), please also copy (b) (6) [REDACTED] can then tell Phil what she would normally do with the requests.

Thanks,
Sean

From: Dorgan, Mark
Sent: Friday, January 15, 2010 2:40 PM
To: [REDACTED]
Cc: Murtagh, Sean; McNamara, Phil
Subject: RE: FOIA Search Request (DHS/OS/PRIV 10-0190)

Thanks [REDACTED] I will update the list. I received the list last Thursday, so that was where I got the information.

From: [REDACTED]
Sent: Friday, January 15, 2010 2:10 PM
To: Dorgan, Mark
Cc: [REDACTED]; Murtagh, Sean; McNamara, Phil
Subject: FW: FOIA Search Request (DHS/OS/PRIV 10-0190)

I responded to Vania on January 4, 2010. I searched IQ and the ESEC Shared Drive and found no records. The front office responded stating they did not have any responsive records.

Respectfully,

[REDACTED]

[REDACTED]

Office of the Executive Secretariat
U.S. Department of Homeland Security

Phone: [REDACTED]

Fax: [REDACTED]

From: [REDACTED]

Sent: Monday, January 04, 2010 9:00 AM

To: Lockett, Vania

Cc: McNamara, Phil; Murtagh, Sean; [REDACTED]

Subject: RE: FOIA Search Request (DHS/OS/PRIV 10-0190)

No records were found pursuant to this request.

Respectfully,

[REDACTED]

[REDACTED]

Office of the Executive Secretariat
U.S. Department of Homeland Security

Phone: [REDACTED]

Fax: [REDACTED]

From: Lockett, Vania

Sent: Friday, December 18, 2009 11:11 AM

To: [REDACTED]

Cc: McNamara, Phil; Murtagh, Sean

Subject: FOIA Search Request (DHS/OS/PRIV 10-0190)

[REDACTED]

Attached please find a FOIA request from Dr. Paul Maas Risenhoover of the Robin Hood International Human Rights Legal Defense Fund. Dr. Risenhoover is seeking all agency or interagency or policy or legal documents

relating to:

1. treatment of Formosans as aliens
2. that native Formosans may be subject to deportation from the US (ie as aliens)
3. that native Formosans may be excluded from the US (as aliens)

Please provide any responsive documents to the Privacy Office by COB January 4, 2010.

If you have questions, you may reach me at 703-235-0778.

Regards,

Vania T. Lockett, CIPP/G

Associate Director, Disclosure & FOIA Operations

Privacy Office

U.S. Department of Homeland Security

Main: 1.866.431.0486 or 703.235.0790

Direct: [REDACTED]

Fax: 703.235.0443

Web: <http://www.dhs.gov/foia>

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From: [Papoi, Catherine](#)
To: [Papoi, Catherine](#); (b) (6); [Taylor, Donald](#);
cc: (b) (6); [V; Lockett, Vania](#); [Taylor, Donald](#); [Coates, Yvonne](#);
[Sporn, Karen](#); [LaBrec, Ronald CAPT](#);
Subject: RE: FRONT OFFICE REVIEW - USCG Significant Requests 2010-0284 and 2010-0329
Date: Friday, January 15, 2010 9:30:57 AM

Donald, anything further re the above referenced cases? Thanks.

Catherine

Catherine Papoi, J.D., CIPP/G
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-----Original Message-----

From: Papoi, Catherine [<mailto:Catherine.Papoi@dhs.gov>]
Sent: Friday, January 08, 2010 10:02 AM
To: Papoi, Catherine; (b) (6); Taylor, Donald
Cc: (b) (6); V; Lockett, Vania; Taylor, Donald; Coates, Yvonne; Sporn, Karen; LaBrec, Ronald CAPT
Subject: RE: FRONT OFFICE REVIEW - USCG Significant Requests 2010-0284 and 2010-0329

Donald, apologies for the delay. The document you provided was very helpful. Thank you. A few follow-up questions:

1) According to the law review article, "The ISBA amendments' additional restrictions foreclose access to information through the FOIA. Despite the FOIA's pro-disclosure bias, [FN106] *399 the 1990 ISBA changes fit precisely within one of the FOIA exemptions. [FN107] The mandate to disclose information under the

FOIA does not apply to matters that are: "specifically exempted from disclosure by statute . . . provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matter to be withheld." [FN108] Thus, CVR recordings cannot be reached via a FOIA request. [FN108]. 5 U.S.C. §552(b)(3) (2000)."

b5

2) The article also notes, "On one hand, the National Aeronautics and Space Administration court held that the "'clearly unwarranted' language of the FOIA exemption 6 weights the scales in favor of disclosure." [FN144] On the other hand, however, it determined that "where the privacy interest is substantial, the public interest uncertain, and where the agency has already released materials responsive to the request...the court did find it significant that NASA had provided the public with a transcript of the tape." Also, "The content of the cockpit conversations is not "privileged" from communication outside government accident investigations, but the playing of actual CVR tapes is, and must remain so. What was said, and what happened are readily ascertainable from transcripts and other publicly available data."

b5

If you could get back to me soonest, I would appreciate it.

Catherine Papoi, J.D., CIPP/G
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Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
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-----Original Message-----

From: Papoi, Catherine [<mailto:Catherine.Papoi@dhs.gov>]