

**Freedom of Information Act (FOIA) Activity for the Week of  
December 23– December 29, 2021  
DHS Privacy Office  
January 3, 2022  
Weekly FOIA Report**

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

- NSTR

**II. Freedom of Information Act Requests**

- On December 23, 2021, **Moss Cohen**, a representative with *CNN* in New York, New York, requested from the Transportation Security Administration (TSA) video of Officer Cecilia Morales saving an infant on December 31, 2021. (Case Number TSA 2022-TSFO-00213)
- On December 23, 2021, **Morgan Yardis**, a representative with **Protect the Public’s Trust**, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the meeting requests with Secretary Mayorkas. (Case Number 2022-HQFO-00365)
- On December 23, 2021, **Claudia Ocaranza**, a private individual in Mexico City, Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to aid provided from the U.S. for the Migrant Protection Protocols (MPP) also known as the “Remain in Mexico” program. (Case Number CBP- 2022-027267)
- On December 27, 2021, **Ted Bridis**, a representative with the *Fresh Take Florida News Service* in Gainesville, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to the impacts of DHS’s September 30, 2021 immigration enforcement guidance. (Case number CBP-2022-027367)
- On December 27, 2021, **Robert Parker**, a private individual in Naperville, Illinois, requested from U.S. Customs and Border Protection (CBP) records pertaining to religious exemptions granted for the COVID-19 vaccination mandate. (Case Number CBP-2022-027425)
- On December 27, 2021, **Christopher Alicea**, a private individual in Vail, Arizona, requested from U.S. Customs and Border Protection (CBP) email communications by the Equal Employment Opportunity involving the processing of complaints pertaining to the "Presidential Executive Order on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees". (Case Number CBP-2022- 027435)
- On December 28, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to the FOIA Backlog Reduction plan from January 1, 2016, through the present. (Case Number CBP-2022-027875)
- On December 28, 2021, **William Melugin**, a representative with *FOX News*, in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records

pertaining to monthly estimated "gotaways" or "got aways" throughout all Border Patrol sectors at the Southern border between January 20, 2021, to December 27, 2021. (Case Number CBP-2022-027876)

- On December 28, 2021, **William Melugin**, a representative with *FOX News*, in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of encounters at the southern border with illegal immigrants on the Terrorist Screening Database from January 20, 2021, to December 27, 2021. (Case Number CBP-2022-027906)
- On December 28, 2021, **Rodger Ocheltree**, a private individual in Las Cruces, New Mexico, requested from U.S. Customs and Border Protection (CBP) the names, positions, and contact information for the members of the CBP Vaccine Exemption Review Board. (Case Number CBP-HRM-2022-027947)
- On December 29, 2021, **Matt Bernardini**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) import and export records pertaining to Plodimex USA Inc. and Prodintern (U.S.A.) Corporation. (Case number CBP-2022-028062)
- On December 29, 2021, **Jason Hopkins**, a representative with **Immigration Reform Law Institute** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records of individuals and intercountry travel of foreign nationals that were placed in DHS custody from January 20, 2021, to December 16, 2021. (Case number CBP-2022-028079)

#### **Late Requests:**

- On November 2, 2021, **Jessica Cadavid**, a representative with **Cadavid & Associates** in Phoenix, Arizona requested from the U.S. Citizenship and Immigration Services (USCIS) the Alien File of Giuseppe Guidice. (Case Number USCIS NRC-2021-213210)
- On December 22, 2021, **Timothy Warren**, a representative with *Warren News*, in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to allegations of the use of forced labor under Section 307 of the Tariff Act of 1930 from January 1, 2021, through the present. (Case Number CBP-2022-026596)
- On December 22, 2021, **Ariana Sawyer**, a representative with **Human Rights Watch**, in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records of files pertaining to allegations of misconduct. (Case Number CBP-2022-026893)
- On December 22, 2021, **Samira Elhosary**, a representative with **Constitutional Law Center for Muslims in America** in Richardson, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP personnel participation in Watchlisting Advisory Council (WLAC). (Case Number CBP-2022-026919)

### III. Freedom of Information Act Releases

- On December 23, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **David Bixenspan**, a representative with **MEL Magazine** in Marina del Ray, California, 18 pages of records pertaining to the Alien File of the late Thomas Billington. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS COW-2021-005152)
- On December 23, 2021, the United States Coast Guard (USCG) released to **Kelli Sisco**, a representative with **OOCL Marine Operations**, 35 pages of records pertaining to a missing person from the vessel COSCO PORTUGAL on December 10, 2021. These records were released in full. (Case Number USCG 2022-CGFO-000508)
- On December 23, 2021, the Department of Homeland Security (DHS) released to **David J. O'Bryant**, a representative with **Independent Journalist** in Portland, Oregon, 11 pages of records pertaining to Portland protests. Portions of this response are withheld pursuant to FOIA exemptions 5, 6, and 7(E). (Case Number 2020-HQFO-01636)
- On December 23, 2021, the Department of Homeland Security (DHS) released to **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, 112 pages of records pertaining to Action Memorandums and Information Memorandums in the Office of the Secretary from April 1, 2018, through June 18, 2018. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number HQ 2018-HQFO-01094)
- On December 23, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **David Bixenspan**, a media representative with **MEL Magazine** in Marina del Ray, California, 52 pages of records pertaining to the Alien File Roderick George Toombs. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS COW-2021-005153)
- On December 27, 2021, the United States Coast Guard (USCG) released to **Marshall Griffin**, a representative with **Griffin Law Firm**, 133 pages of records pertaining to allegations against a cadet and the decision to dis-enroll them from the Coast Guard Academy. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case Number USCG 2021-CGFO-01378)
- On December 29, 2021, U.S. Customs and Border Protection (CBP) released to **Mark R. Heller**, a representative with **Advocates for Basic Legal Equality**, in Toledo, Ohio, 503 pages of records pertaining to Sandusky Bay Station's practices and procedures. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-041934)
- On December 30, 2021, the Transportation Security Administration (TSA) released to **Jay Blackman**, a representative with **NBC News** in Washington, D.C., a no records response to his request for records pertaining to a Department of Homeland Security explosive tests to test the ability of terrorists to blow up an aircraft using an explosive placed in a laptop. (Case Number 2017-TSFO-00350)

- On December 30, 2021, the Transportation Security Administration (TSA) released to **Mike Levine**, a representative with *ABC News* in Washington, D.C., a no records response to his request for records pertaining to a test conducted in conjunction with the Department of Homeland Security to determine the viability of a new explosive device being developed by terrorists that could be hidden in laptops or other large type electronic devices. (Case Number 2017-TSFO-00351)

#### IV. Freedom of Information Act Appeals

- NSTR

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

- NSTR

#### VI. Litigation

- In the matter of *Just Futures Law, et al. v. U.S. Department of Homeland Security (DHS), et al. Civil Action No. 21-0430 (TSC) Justice Action Center v. U.S. Immigrations and Customs Enforcement (ICE) et. al. (2:20-cv-06982)* the plaintiff filed a FOIA request on June 16, 2020, requesting records pertaining to federal and local governments use of technologies. On December 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released 110 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration Customs and Enforcement (ICE), et. al. (1:21-cv-00430)* the plaintiff filed a FOIA request on July 6, 2020, requesting records pertaining to ICE documents related to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On December 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released 498 pages of records to the plaintiff.
- In the matter of *Noelle Llamas and Ken Klippenstein v U.S. Immigration Customs and Enforcement (ICE), et. al. (6:20-cv-02264)*, the plaintiff filed a FOIA request on December 13, 2020, seeking the titles of intelligence products generated by or for DHS between January 1, 2017, through October 13, 2020. On December 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released 1 page of records to the plaintiff.
- In the matter of *Maribel Trujillo Diaz v. U.S. Immigration Customs and Enforcement (ICE) (21-cv-73)*, the plaintiff filed a FOIA request on November 23, 2021, seeking records pertaining to Maria Trujillo Diaz's parole into the United States on or about 9/10/2018 including her I-94 and ICE Form 71-01. On December 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released 6 pages of records to the plaintiff.
- In the matter of *Los Angeles Times Communications LLC v. Department of Homeland Security (DHS) et al., (2:20-cv-10911-SVW)*, the plaintiff filed a FOIA request on June 29, 2020, requesting ICE OPR (Office of Professional Responsibility) Investigation Closing Reports pertaining to allegations at ERO (Enforcement and

Removal Operations) facilities. On December 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released 314 pages of records to the plaintiff.

- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (3:20-cv-03000)*, the plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On December 29, 2021, USCIS released 361 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Commerce (DOC), U.S. Citizenship and Immigration Services (USCIS) et al., (1:19-cv-00912)*, the plaintiff filed a FOIA request on October 19, 2018, seeking records pertaining to calendar entries for L. Francis Cissna, Kaitlin Vogt Stoddard, Robert Law, and White House Liaison. On December 29, 2021, USCIS released 664 pages of records to the plaintiff

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells



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**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:

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**II. Freedom of Information Act Requests**

- On December 29, 2021, **Jack Poulson**, a representative with **Tech Inquiry** in Humble, Texas, requested from the Transportation Security Administration (TSA) records pertaining to modifications between ManTech Advanced Systems International, Inc. and the TSA with PIID 70T02022F7500N004. (Case Number TSA 2022-TSFO-00221)
- On December 30, 2021, **Scott MacFarlane**, a representative with **NBC 4 Washington News** in Gaithersburg, Maryland, requested from the Transportation Security Administration Security (TSA) records pertaining to emails from the agency’s White House liaison from January 1, 2021, and February 1, 2021. (Case Number TSA 2022-TSFO-00223)
- On December 30, 2021, **Michael Douglas Baker**, a representative with **KING5 News** in Seattle, Washington, requested from the U.S. Citizenship and Immigration Services (USCIS) the immigration status and citizenship confirmation for Kshama Sawant. (Case Number USCIS COW-2022-000004)
- On December 31, 2021, **Jason Hopkins**, a representative with the **Federation for American Immigration Reform** in Washington, D.C., requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications between USCIS and National Partnership for New Americans (NPNA) employees from January 20, 2021, and December 31, 2021. (Case Number USCIS COW-2022-000006)
- On January 2, 2022, **Michael Ravnitzky**, a private individual, requested from the Department of Homeland of Security (DHS) Privacy Office records pertaining to the administrative processing files associated with backlogged pending FOIA requests received from June 6, 2018, to May 20, 2019. (Case Number 2022-HQFO-00400)
- On January 3, 2022, **Ella F. Cleveland**, a representative with the **Louise Trauma Center LLC** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) letters sent by Tracy Renaud to Senators and members of the U.S. House of Representatives, from January 1, 2021 - present. (Case Number USCIS COW-2022-000038)
- On January 3, 2022, **Julia Lerner**, a representative with **Cascadia Daily News** in Bellingham, Washington, requested from U.S. Customs and Border Protection (CBP) records pertaining to searches and seizures conducted by the U.S. Border Patrol Blaine Sector from January 1, 2022, and January 3, 2022. (Case number CBP-2022-028939)

- On January 3, 2022, (b)(6) a private individual in Fall River, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to an investigation related to himself. (Case Number USCG 2022-CGFO-00587)
- On January 3, 2022, **Anita Scott**, a private individual in Silver Spring, Maryland, requested from the United States Coast Guard (USCG) records pertaining to the Anti-Harassment/Hate Incident Investigation (AHHI) convened by the USCG Personnel Service Center in October 2021. (Case Number USCG 2022-CGFO-00599)
- On January 4, 2022, **Jason Leopold**, a representative with *BuzzFeed News*, in New York, New York requested from the Department of Homeland of Security (DHS) Privacy Office records pertaining to emails from the email strings "2019 n-CoV" and "Red Dawn". (Case Number 2022-HQFO-00406)
- On January 4, 2022, **Ella Cleveland**, a representative with the **Louise Trauma Center LLC**, requested from the Department of Homeland of Security (DHS) Privacy Office records pertaining to the training given at the Arlington Asylum Office from January 1, 2021, through the present. (Case Number 2022-HQFO-00409)
- On January 4, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to the CBP report to the House of Representatives on Border Barrier Mitigation Activities. The report was transmitted to Congress on November 25, 2020. (Case Number CBP-2022-029383)
- On January 4, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to the DHS Review of the Joint Task Forces (JTFs), completed in 2020 or early 2021. (Case Number CBP-2022-029392)
- On January 5, 2022, **Justin Jones**, a private individual, requested from the Department of Homeland of Security (DHS) Privacy Office records pertaining to Religious and Medical Accommodation requests that have been approved or denied from January 1, 2020, through the present. (Case Number 2022-HQFO-00412)
- On January 5, 2022, **Joan Drinkwino**, a representative with **Natural Resources Consultants Inc.**, in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to marine casualties resulting from entanglement or encounters with commercial or recreational fishing from 2011 to 2021. (Case Number USCG 2022-CGFO-00614)
- On January 5, 2022, (b)(6) a private individual in Arlington, Virginia, requested from the United States Coast Guard (USCG) records pertaining to emails between the USCG and other federal agencies related to the individual. (Case Number USCG 2022-CGFO-00616)

**Late Requests:**

- On November 2, 2021, **Jessica Cadavid**, a representative with **Cadavid & Associates** in Phoenix, Arizona requested from the United States Citizenship and Immigration Services (USCIS) the Alien File of Giuseppe Guidice. (Case Number USCIS NRC-2021-213210)



- On December 29, 2021, **Jason Hopkins**, a representative with **Immigration Reform Law Institute** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the purpose of airline tickets purchased by the Department of Homeland Security. (Case number CBP-2022-028079)
- On December 28, 2021, **David Bixenspan**, a representative with **MEL Magazine** in Brooklyn, New York requested from the U.S. Citizenship and Immigration Services (USCIS) the Alien File of Louis Vincent Albano. (Case Number USCIS COW-2021-005398)
- On December 28, 2021, **David Bixenspan**, a representative with **MEL Magazine** in Brooklyn, New York requested from the U.S. Citizenship and Immigration Services (USCIS) the Alien File of Shinya Hashimoto. (Case Number USCIS COW-2021-005391)
- On December 28, 2021, **David Bixenspan**, a representative with **MEL Magazine** in Brooklyn, New York requested from the U.S. Citizenship and Immigration Services (USCIS) the Alien File of Rodolfo Guzmán Huerta. (Case Number USCIS COW-2021-005389)
- On December 28, 2021, **David Bixenspan**, a representative with **MEL Magazine** in Brooklyn, New York requested from the U.S. Citizenship and Immigration Services (USCIS) the Alien File of Mitsuharu Misawa. (Case Number USCIS COW-2021-005387)
- On December 29, 2021, **Christopher Harrington**, a representative with **Wrestlenomics** in Saint Paul, Minneapolis requested from the U.S. Citizenship and Immigration Services (USCIS) the alien file of Rhonda Ann Singh. (Case Number USCIS COW-2021-005392)

### III. Freedom of Information Act Releases

- On January 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **David McSwane**, a representative with **ProPublica** in Washington, D.C., 184 pages of records in response to his request for any corrective action plans created by ICE contract personnel, from October 1, 2015, through the present. Portions of the release will be withheld pursuant to FOIA Exemptions 4, 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-57050)
- On January 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Angelina Godoy**, a representative with **The University of Washington Center for Human Rights** in Seattle, Washington, 1 excel spreadsheet in response to her request for data pertaining to complaints filed through the ICE ERO's Detention Reporting and Information Line (DRIL) from FY2015 through the present. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-58123)
- On January 4, 2022, U.S. Customs and Border Protection (CBP) released to **Benjamin Ashford**, a representative with the **Daily Mail**, in Miami Beach, Florida, records pertaining to the rates of suicide of CBP employees from January 1, 2007, to November 1, 2021. (Case number CBP-2022-003488).

- On January 5, 2022, U.S. Customs and Border Protection (CBP) released to **Elsa Goossen**, a representative with **ACLU of New Mexico**, in Albuquerque, New Mexico, records pertaining to I-213's of non-citizen migrants apprehended at the New Mexico border from April 7, 2019, to April 20, 2019. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-052074)
- On January 5, 2022, U.S. Customs and Border Protection (CBP) released to **Dan Schwartz**, a representative with **iHeartRadio**, in Golden, Colorado, a no records response to his request for records pertaining to a mitigated penalty between CBP and Union Pacific. (Case Number CBP-2021-108377)
- On January 5, 2022, U.S. Customs and Border Protection (CBP) released to **Dan Schwartz**, a representative with **iHeartRadio**, in Golden, Colorado, a full denial in response to his request for records pertaining to agreements or MOUs between CBP and Union Pacific. The record was withheld in full pursuant to FOIA exemption 5. (Case Number CBP-2022-005781)
- On January 5, 2022, the Transportation Security Administration (TSA) released to **Lucas Waldron**, a representative with **ProPublica** in New York, New York, 38 pages of records pertaining to the work schedule and email communications of TSA supervisor Sonia White from September 15, 2017, to September 19, 2017. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number TSA 2019-TSFO-00362)
- On January 5, 2022, the Transportation Security Administration (TSA) released to **Megan (VerHelst) Byrd**, a representative with **Patch** in Mason City, Iowa, a 1-page record pertaining to the number of passengers stopped from carrying firearms on flights at several airports. This record was released in full. (Case Number TSA 2022-TSFO-00022)

#### IV. Freedom of Information Act Appeals

- NSTR

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

- NSTR

#### VI. Litigation

- In the matter of *Sierra Club v. U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)* the plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On December 30, 2021, CBP issued 3,761 pages of records to the plaintiff.
- In the matter of *The Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)* the plaintiff filed a FOIA request on March 15, 2017, seeking records produced after January 25, 2017, pertaining to the

construction of a physical wall on the southern border of the United States. Plaintiff filed suit on July 17, 2017, claiming injunctive relief. On December 30, 2021, CBP release 507 pages of records to the plaintiff.

- In the matter of *The Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-3438-CJN)*, the plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining the processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On December 30, 2021, CBP released its sixteenth interim response, consisting of 13 pages of records to the plaintiff.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, the plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States' treatment of Emilio Gutierrez-Soto, Oscar Emilio Gutierrez-Soto, and Eduardo Beckett. On December 30, 2021, ICE released 577 pages of records to the plaintiff.
- In the matter of *Contreras & Metelska v. U.S. Immigration and Customs Enforcement (ICE); 1:21-cv-01148*, the plaintiff filed a FOIA request on May 4, 2021, requesting records pertaining to the email addresses of six attorneys employed by Contreras & Metelska, PA. On December 30, 2021, ICE released 485 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union Foundation v. U.S. Department of Homeland Security (DHS) (3:19-cv-00290) (2020-HQLI-00003)* the plaintiff filed a FOIA request on May 24, 2018, requesting records pertaining to social media surveillance for the purpose of conducting "extreme vetting". On December 30, 2021, DHS released 480 pages to the plaintiff.
- In the matter of *Just Futures Law, et al. v. U.S. Department of Homeland Security (DHS), et al. Civil Action No. 21-0430 (TSC) Justice Action Center v. ICE et al. (2:20-cv-06982)*, the plaintiff filed a FOIA request on June 16, 2020, for records pertaining to the federal and local governments use of technologies and data surveillance during the COVID-19 pandemic. On December 30, 2021, ICE released 235 pages of records to the plaintiff.
- In the matter of *American Oversight v U.S Department of Homeland Security (DHS) et al., (1:19-cv-01339-RDM) (2019-HQLI-00019)* the plaintiff filed a FOIA request on October 4, 2018, requesting records pertaining to email communications from Gene Hamilton. On January 3, 2022, DHS released 309 pages to the plaintiff.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. U.S. Customs and Border Protection (CBP), No. 20-1583*, the plaintiff filed a FOIA request on August 16, 2019, requesting records pertaining to the release of minors from the U.S. Department of Homeland Security (DHS) facilities. On January 5, 2022, ICE released 586 pages of records to the plaintiff.
- In the matter of *Center for Gender & Refugee Studies v. U.S. Immigration and Customs Enforcement (ICE) et al., (4:21-cv-01065-DMR)*, the plaintiff filed a FOIA

request on February 12, 2021, requesting records pertaining to asylum and withholding removal claims on a "gender alone" basis. On January 5, 2022, ICE released 580 pages of records to the plaintiff.

- In the matter of *Adrian Palacios-Benitez v. United States Citizenship and Immigration Services (USCIS) et. al (2:21-cv-1155-RMG)*, the plaintiff filed a FOIA request on August 9, 2021, pertaining to the Alien Registration File for Adrian Palacios Benitez. In addition, the plaintiff requested records pertaining to the email history of Charleston Field Office Immigration Services Officer (b)(6),(b)(7)(C) from July 22, 2019, through the present. On January 5, 2022, ICE released 41 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

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**II. Freedom of Information Act Requests**

On On January 13, 2022, **Dawn Butler**, a civilian, in Kingwood, Texas, requested from U.S. Customs and Border Protection (CBP) as of October 1, 2021 to present, how many CBP Officers that have been identified as ill with COVID, or tested positive for COVID and were granted quarantine by local CBP management have self-reported in the CBP Vaccine Reporting System that they are fully vaccinated? (Case Number CBP-2022-032228)

On January 18, 2022, **Stephanie Leutert**, personnel affiliated with The University of Texas at Austin (UT Austin), in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) an excel sheet that includes Border Patrol's monthly apprehension data for all family units along the southwest border from FY2013 through FY2021. (Case Number CBP-2022-033903)

On January 18, 2022, **Stephanie Leutert**, personnel affiliated with The University of Texas at Austin (UT Austin), in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) an excel sheet that includes Border Patrol's monthly apprehension data for all unaccompanied minors along the southwest border from FY2010 through the present. (Case Number CBP-2022-033904)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related the Border Patrol Critical Incident Team, Cross Border Investigative Unit, Special Investigative Team, Crash Unit, Evidence Collection Team, Sector Evidence Team and Sector Investigative Group in regards to sexual harassment, assault, rape, stalking, domestic violence, or sex-based discrimination from 2000 to the present. (Case Number CBP-2022-033938)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records from the National Targeting Center's tracking and monitoring of journalists working at the southwest border from January 1, 2012 to the present, including but not limited to, Operation Whistle Pig. (Case Number CBP-2022-033940)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to

complaints or notices of infractions and/or misconduct at the Border Patrol Training Academy in Artesia, New Mexico from January 1, 2004 to the present. (Case Number CBP-2022-033942)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to the OPR and Congressional Committees involving the Border Patrol Critical Incident Team, Cross Border Investigative Unit, Special Investigative Team, Crash Unit, Evidence Collection Team, Sector Evidence Team and Sector Investigative Group from January 2, 2016 to the present. (Case Number CBP-2022-033943)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to OPR report 2013 4874, regarding a Border Patrol Agent hitting an animal with a vehicle in Texas. (Case Number CBP-2022-033948)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to shift musters at the McAllen, Texas Border Patrol Station from March 10, 2014 to July 31, 2014. (Case Number CBP-2022-033949)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to exit interviews of female trainees from the Border Patrol Training Academy in Artesia, New Mexico from 2004 to the present. (Case Number CBP-2022-033950)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to each graduating class of Border Patrol trainees from the Border Patrol Training Academy in Artesia, New Mexico from 2004 to the present. (Case Number CBP-2022-033951)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to the use of slingshots, wrist rockets, fried marbles and boiled marbles by Border Patrol Agents between 1980 and 1995. (Case Number CBP-2022-033954)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to Situation Room reports regarding Border Patrol Agents, both on and off duty, committing reportable acts such as stalking, harassment, sexual assault, violation of restraining orders or domestic violence as victims or perpetrators. (Case Number CBP-2022-033955)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to a sexual assault referred to as “Game of Smiles” at the Charleston, South Carolina training facility in the mid-2000’s. (Case Number CBP-2022-033956)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to the Office of Professional Responsibility Continuous Evaluation Program from June, 2018 to the present. (Case Number CBP-2022-033957)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to cease and desist letters sent by CBP to its own employees from 2001 to the present. (Case Number CBP-2022-033959)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to deceased former Border patrol Agent Paul Douglas Adams. (Case Number CBP-2022-033962)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to suicides of Border Patrol trainees and agents from January 1, 2006 to the present. (Case Number CBP-2022-033964)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to former CBP Internal Affairs Commissioner James Tomsheck, Former CBP Commissioner R. Gil Kerlikowske and then-acting Deputy CBP Commissioner Kevin McAleenan, regarding more than 30 sexual misconduct incidents from October , 2012 to April, 2014. (Case Number CBP-2022-033965)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records from female Border Patrol Agents alleging employee misconduct from 2003 to the present. (Case Number CBP-2022-033969)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records of misconduct and allegations of misconduct both by and against female Border Patrol Agents tracked by the HRBE from 2002 to the present. (Case Number CBP-2022-033976)

On January 18, 2022, **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) all records related to Border Patrol employees who have been placed on administrative leave pending investigation decisions from 2002 to the present. (Case Number CBP-2022-033980)

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**Late Requests:**

On January 12, 2022, **Clara Migoya**, a reporter with *The Arizona Republic*, in Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) any records regarding narcotics smuggling attempts at the U.S.-Mexico border recorded for FY2020, FY2021 and FY2022 at the Tucson Border Patrol Sector, Yuma Border Patrol Sector, and at the Tucson Field Office. (Case Number CBP-2022-031844)

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**III. Freedom of Information Act Releases**

- On January 14, 2022, U.S. Customs and Border Protection (CBP) issued to **Timothy Warrant**, an independent journalist, in Washington, District of Columbia, a full denial in response to his request for records related to allegations of the use of forced labor from January 1, 2021 to the present. These records were withheld pursuant to FOIA Exemptions 4, 6, and 7(E). (Case Number CBP-2022-026596)

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- On January 18, 2022, U.S. Customs and Border Protection (CBP) released to **John B. Washington**, a reporter with *The Intercept*, in Tucson, Arizona, 11 pages consisting of a memo and guidance pertaining to his request for regulations pursuant to 8 C.F.R. 235.3(b)(4)(i) in which CBP officers are required to read a series of statements advising immigrants of their rights and a screening of fear. Portions of these records were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2018-061811)

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**IV. Freedom of Information Act Appeals**

- NSTR

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

- NSTR

**VI. Litigation**

- In



## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
January 20, 2022- January 26, 2022  
DHS Privacy Office  
January 31, 2022  
Weekly FOIA Report**

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

- NSTR

**II. Freedom of Information Act Requests**

- On January 19, 2022, Jose Olivares, a representative from the news media, *The Intercept*, in Brooklyn, New York requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) DHS OIG's investigation report, related to use-of-force incidents and correctional officers' social media conduct, from the Stewart Detention Center, in 2020. (Case Number 2022-IGFO-00078)
- On January 20, 2022, **Anna Flagg**, a reporter with *The Marshall Project* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records of migrant children held in detention in Border Patrol custody between July 1, 2021, and September 30, 2021. (Case Number CBP-2022-034785)
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- On January 20, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) all records in DHS OIG possession related to all US EEOC complaints related to sexual harassment, stalking, and assault submitted to OIG between January 1, 2002 and the present. (Case Number 2022-IGFO-00073)
- On January 20, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) all records related to the CBP'S Office of Professional Responsibility (OPR) and the Department of Homeland Security's Office of Inspector General (DHS OIG) related to allegations and complaints sexual harassment, sexual assault, rape, sex discrimination committed by or perpetrated against Border Patrol agents between the years of 2000 and the present. (Case Number 2022-IGFO-00074)
- On January 20, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) to provide copies of all records related to deceased Border Patrol agent Esteban Manzanaras, who is now deceased. Please send copies of all records between the year 2008 and the present. These records should include but are not limited to communication with FBI, Homeland Security Investigations (HSI), Mission, Texas police,

CBP, and the Hidalgo County Sheriff's Office's investigations into Manzanares' actions and conduct preceding his suicide. (Case Number 2022-IGFO-00075)

- On January 20, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) to provide copies of all records related to Border Patrol agents running over animals, including but not limited to a dog run over by a BP vehicle on television during a Univision broadcast, an event that occurred sometime between January 1 and July 31, 2013 in Texas. Please include any investigative reports, and correspondence with the public and media about such incidents. (Case Number 2022-IGFO-00076)
- On January 20, 2022, Sean Dunagan, a representative from the news media, **Judicial Watch**, in Washington, D.C., requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) all records regarding any investigation by the Office of Inspector General and/or the CBP Office of Professional Responsibility of the alleged use of "whips" during immigration enforcement operations. (Case Number 2022-IGFO-00080)
- On January 20, 2022, **Kelly Yamanouchi**, a representative with **The Atlanta Journal-Constitution** in Atlanta, Georgia, requested from the Transportation Security Administration Security (TSA) a list of civil penalties assessed for firearms at Hartsfield-Jackson from January 1, 2021 through December 31, 2021. (Case Number TSA 2022-TSFO-00268)
- On January 20, 2022, Yardis Morgan, a representative with Protect The Public's Trust in , requested from the Department of Homeland Security (DHS) Privacy Office
- On January 21, 2022, **Marc Cecotti**, a representative with **The Drive/The War Zone** in France, requested from the Transportation Security Administration Security (TSA) a copy of all records pertaining to the sighting of drone(s) that occurred on June 9, 2017 in the vicinity of the Pentagon. (Case Number TSA 2022-TSFO-00279)
- On January 21, 2022, **Marc Cecotti**, a representative with **The Drive/The War Zone** in France, requested from the Transportation Security Administration Security (TSA) a spreadsheet listing all reports of unauthorized drone(s) including a summary of the incident that were notified to the NCRCC from 2015 to January 4, 2022. (Case Number TSA 2022-TSFO-00280)
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- On January 21, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) to provide copies of all records from the JIC (Joint Intake Center), Office of Professional Responsibility (OPR), Office of the Inspector General (OIG), and the Border Patrol Commissioner's Situation Room between the year 2001 and the present about to Border Patrol agents, both on and off duty, committing reportable acts per requirements of the following directives and policies. Reportable acts include but are not limited to stalking, harassment, sexual assault, notice of restraining orders, and any kind of alleged domestic violence in which agents are victims or perpetrators. (Case Number 2022-IGFO-00082)

- On January 21, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) to provide copies of all records held by DHS OIG related to the “Game of Smiles” including but not limited to a sexual assault that took place in the mid-2000’s in which, according to former CBP Internal Affairs Commissioner James Tomsheck, resulted in an internal CBP report that detailed a "disgusting sexual predator event" in which a female Border Patrol trainee based at a facility near Charleston, South Carolina claimed to have been invited to a graduation party at an instructor's temporary residence, was encouraged to drink a considerable amount of alcohol by her superiors, and was asked to participate in the "game of smiles" wherein several men sat around a table with pants down, the female went under the table and engaged in oral sex with different persons sitting under the table. (Case Number 2022-IGFO-00083)
- On January 21, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) to provide copies of all records from June 2018 to the present related to derogatory information, verified arrest incidents, and protection orders and Border Patrol employees detected by CBP’s Office of Professional Responsibility’s “continuous evaluation program,” which began in June 2018 for all active CBP federal employees in sensitive security positions and conducts real-time vetting checks on 52,000 CBP employees, including all active law enforcement officers subject to the Lautenberg Amendment. Per the November 13, 2020 Office of the Inspector General report #OIG-21-09, the program runs a variety of checks daily and/or weekly, and adjudicators for the continuous evaluation program review any derogatory information and then refer verified arrest incidents and protection orders to CBP’s Investigative Operations Division. (Case Number 2022-IGFO-00084)
- On January 21, 2022, Erin McIntyre, a Freelance Journalist from Chapel Hill, North Carolina requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) to provide copies of all records CONGRESSIONAL CORRESPONDENCE Office of Inspector General, workflow ID 523593, Request from Senate Judiciary Committee for an investigation about the alleged targeting of journalists and immigration lawyers at the Southwest border. (Case Number 2022-IGFO-00085)
- On January 21, 2022, Erin Siegal McIntyre, an independent journalist in Chapel Hill, North Carolina requested from U.S. Customs and Border Protection (CBP) copies of all CBP records and data related to the CBP Discipline Review reports from Rio Grande Valley sectors from the year 2012 until the present. (Case Number CBP-2022-035155)
- On January 21, 2022, Patrick Eddington, a scholar with Cato Institute in Annandale, Virginia requested from U.S. Customs and Border Protection (CBP) records regarding Operation Secure Line, specifically any intelligence products produced or disseminated within or outside CBP mentioning U.S. Persons. (Case Number CBP-2022-035041)
- On January 21, 2022, Erin Siegal McIntyre, an independent journalist in Chapel Hill, North Carolina requested from U.S. Customs and Border Protection (CBP) copies of all records between 2008 to present related to deceased former Border Patrol trainee Julia Monsivais, who

committed suicide in July 2009 after allegedly being written up for a series of infractions at the Border Patrol Training Academy. (Case Number CBP-2022-035153)

- On January 21, 2022, Adam E Turner, an individual in Arlington, Virginia requested from U.S. Customs and Border Protection (CBP) all records pertaining to CBP's vetting of Afghani refugees. (Case Number CBP-2022-035049)
- On January 21, 2022, **Mr. James Hulme**, an attorney with Arent Fox LLP in Washington, District of Columbia, requested from the United States Coast Guard (USCG) a copy of any and all versions of the Basic Ordering Agreement ("BOA") approved and maintained by the U.S. Coast Guard for Atlantic Coast Marine Group, Inc. of Morehead City, North Carolina for the period January 1, 2020 to the present. (Case Number USCG **2022-CGFO-00737**)
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- On January 22, 2022, **Mr. Michael Rosenfeld**, an individual, requested from the United States Coast Guard (USCG) all documentation and emails related to the decision of an individual's Religious Accommodation request pertaining to the individual. (Case Number USCG **2022-CGFO-00735**)
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- On January 23, 2022, **Joseph Cox**, a media representative with *VICE News* in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) all invoices, purchases orders, contracts, loan agreements, procurement documents (but not limited to solicitation documents or notices of proposed contracts, proposed bids, unsolicited proposals, and/or documents justifying contracting without full and open competition), relating to Award ID HSSCCG17J00135. (Case Number USCIS CNT2022000005)
- On January 24, 2022, **Matthew Hoppock**, a media representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) any policy, procedure, guidance, manual, or similar agency record reflecting the order of operations and loci of responsibility within USCIS upon receiving notice that a visa applicant or petitioner has filed suit against the agency in federal court challenging its failure to timely process or make a final decision on a petition or application from January 20, 2009, through the present. (Case Number USCIS COW2022000334)
- On January 24, 2022, **Andrew Free**, a media representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) any policy, procedure, guidance, manual, or similar agency record reflecting the order of operations and loci of responsibility within USCIS upon receiving notice that a visa applicant or petitioner has filed suit against the agency in federal court challenging its failure to timely process or

make a final decision on a petition or application from January 20, 2009, through the present. (Case Number USCIS COW2022000335)

- On January 24, 2022, **Elliott Tucker**, a reporter for *In These Times* in Houston, Texas requested from U.S. Customs and Border Protection (CBP) any and all email exchanges between Alejandro Mayorkas and Chris Magnus starting on September 1, 2021 and ending today. (Case Number CBP-2022-035912)
- On January 24, 2022, **Elliott Tucker**, a reporter for *In These Times* in Houston, Texas requested from U.S. Customs and Border Protection (CBP) any and all emails sent to or from Chris Magnus that include the term "Haiti", "horse", or "whip" starting September 15, 2021 and ending today. (Case Number CBP-2022-035913)
- On January 24, 2021, **Joseph Cox**, a journalist with *Motherboard* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) all invoices, purchases orders, contracts, loan agreements, procurement documents (but not limited to solicitation documents or notices of proposed contracts, proposed bids, unsolicited proposals, and/or documents justifying contracting without full and open competition), relating to Award ID 70B04C22F00000112 (Case Number CBP-2022-035483)
- On January 24, 2022, **Mr. Jay Horowitz**, a news investigator with Real World Police in Tucson, Arizona, requested from the United States Coast Guard (USCG) a copy of all video, audio, and photographic records capturing any portion of vessel explosions which took place on October 20, 2017. (Case Number USCG **2022-CGFO-00739**)
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- • On January 24, 2022, **Mr. Chad Coppin**, an individual, requested from the United States Coast Guard (USCG) an electronic copy of the USCG work instruction or written process/procedure that the Office of Military Personnel Policy (COMDT (CG-133) is using to make the determinations on whether or not to approve a USCG member's request for a religious accommodation from receiving the COVID-19 vaccination. (Case Number USCG **2022-CGFO-00742**)
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- • On January 25, 2022, **Mr. Ryan Gibson**, an individual with Kaufman & Canoles P.C. in Norfolk, Virginia, requested from the United States Coast Guard (USCG) copies of all reports, memoranda, correspondence, and other documents or communications, electronic or otherwise, relating to the planning for and implementation of a response strategy to remediate the presence of COVID-19 onboard the M/V MAERSK IDAHO (Official No. 1217920) in June 2020. (Case Number USCG **2022-CGFO-00750**)
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- On January 25, 2022, Charles Ratliff, a private individual requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) all documents linking me to criminal charges related to the RAMBO case or any other case(s) I am not yet aware

of. I would like to know the exact charge(s). The news articles are full of inaccuracies, however I am seeking an official response from OIG to whether the articles are accurate regarding the charges. (Case Number 2022-IGFO-00086)

- On January 25, 2022, Erin Siegal McIntyre, an independent journalist in Chapel Hill, North Carolina requested from U.S. Customs and Border Protection (CBP) all records related to the exit interviews of female BP agents in the Rio Grande Valley sector from 2010 to present. (Case Number CBP-2022-036121)
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- On January 25, 2022, Erin Siegal McIntyre, an independent journalist in Chapel Hill, North Carolina requested from U.S. Customs and Border Protection (CBP) all records related to the exit interviews of female BP agents in El Centro and San Diego sector from 2000 to present. (Case Number CBP-2022-036129)
- On January 25, 2022, Roxanne Scott, an independent journalist in Rosedale, New York requested from U.S. Customs and Border Protection (CBP) all memos regarding missing migrants and rescues from January 1 to December 31, 2021 in the Tucson and Yuma BP Sectors. (Case Number CBP-2022-036191)
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- On January 25, 2022, Yardis Morgan, a representative with Protect The Public's Trust in , requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to All memoranda or documents produced by or received by the DHS's Designated Agency Ethics Official or an employee in their office relating to any or all political appointees of the Biden Administration. This request includes, but is not limited to, any final memoranda developed for a political appointee for the purpose of outlining recusal (Case Number 2022-HQFO-00505)
- On January 25, 2022, Patrick Eddington, a scholar with Cato Institute in Annandale, Virginia requested from U.S. Customs and Border Protection (CBP) all records from various response teams in connection to Border Patrol activities that resulted in death, serious bodily injuries or any activity that exposed civil liability on the government (Case Number CBP-2022-036244)

### **Late Requests:**

- On December 30, 2021, **Michael Douglas Baker**, a media representative with **KING5 News** in Seattle, Washington, requested from the U.S. Citizenship and Immigration Services (USCIS) the immigration status and citizenship confirmation for Kshama Sawant. (Case Number USCIS COW2022000004)
- On December 31, 2021, **Jason Hopkins**, a representative with the **Federation for American Immigration Reform** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS): (1) all records of communication between USCIS employees and any employee or representative of the National Partnership for New Americans; (2) all records of communication between USCIS employees regarding funding and/or grants to National Partnership for New Americans; and (3) all established guidelines or metrics USCIS applied to National Partnership for New Americans before awarding National Partnership

for New Americans approximately \$469.5 million in grant money for various immigration services. The records requested are for the timeframe from January 20, 2021 through December 31, 2021. (Case Number USCIS COW2022000006)

- On January 03, 2022, **Mr. Michael Ravnitzky**, a reporter with Freelance in Arlington, Virginia, requested from the United States Coast Guard (USCG) a copy of each action memorandum and information memorandum in the office of DHS Secretary from April 1, 2018 to present. (Case Number USCG **2022-CGFO-00709**)
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- On January 19, 2022, **Austin Evers**, the Executive Director of *American Oversight*, in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) all records pertaining to assessments/determinations, analyses and evaluations regarding the public health impact of any invocation of Title 42 to expel or refuse foreign nationals. (Case Number CBP-2022-034065)
- On January 19, 2022, **Dan Schwartz**, a journalist with *iHeart Radio*, in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all enforcement actions taken against five railroad companies at various southwest ports. (Case Number CBP-2022-034142)
- On January 19, 2022, **Sean Dunagan**, a representative of *Judicial Watch* in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) all records pertaining to the Office of Professional Responsibility investigation of the alleged use of “whips” during enforcement operations. (Case Number CBP-2022-034186)

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

- On January 20, 2022, U.S. Customs and Border Protection (CBP) issued to Mr. Timothy Warren, an independent journalist in Washington, District of Columbia, a full denial in response to his request for records pertaining to allegations of forced labor from January 1, 2021 to the present. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number CBP-2022-026596)
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- On January 20, 2022, U.S. Customs and Border Protection (CBP) released to Owen Jarus, an independent journalist in Mississauga, Ontario, one page of records consisting of imports from Afghanistan under the HTS Chapter 97 from January 1, 2020 to December 31, 2021. Portions of this record were withheld pursuant to FOIA Exemption 4 and 7(E). (Case Number CBP-2022-031671)
- On January 21, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Emily Baumgaertner**, a media representative with the *New York Times* in Washington, DC, 72 pages of records pertaining to talking points, text



message, or email containing the word census or concerning the possible addition of a Citizenship question to the 2020 Decennial Census. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number USCIS COW2018000421) The release is uploaded into SharePoint: [Click here to view](#)

- On January 21, 2022, the Transportation Security Administration (TSA) released to **Edward Hasbrouck**, a representative with **The Identity Project** in San Frisco, California, 430 pages of public comments received in response to the notice TSA published in accordance with the Paperwork Reduction Act on November 8, 2016, seeking public comment on a proposed new collection of information "Certification of Identity Form (TSA Form 415) and any records related to the original notice of the TSA's "ID verification" program. Portions of the release were withheld pursuant to FOIA Exemptions 2, 5, and 6. (Case Number TSA 2022-TSFO-00139)
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- On January 22, 2022, U.S. Customs and Border Protection (CBP) issued to **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, a no records response to her request for all records related to exit interviews of female trainees at the Border Patrol Academy in Artesia, New Mexico from 2004 to the present. (Case Number CBP-2022-033950)
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  - On January 24, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Wayne Ma**, a media representative with **The Information** in San Francisco, California, one page of records consisting of the number of I-129 H1B Petitions by Facebook for beneficiaries with a country of birth of China from January 1, 2008, through November 4, 2019. These records were released in full. (Case Number USCIS COW2019501603) The release is uploaded into SharePoint: [Click here to view](#)
- On January 24, 2022, FEMA released to **Zak Cassel**, a journalist with **Columbia Journalism Investigations** in New York, New York, one (1) spreadsheet consisting data associated with all requests for federal fire management declarations from any eligible non-federal governmental entity, such as a state and/or governor, a federally-recognized indigenous tribe and/or tribal leader, or local governmental unit and/or associated official, inclusive of requests that were denied/rejected, pending and approved since April 1, 1979. The spreadsheet was released in full. (Case Number [2022-FEFO-00117])
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  - On January 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Kamephis Perez**, an attorney in New York, New York, 998 pages of records consisting of information about Laith Nakli's current immigration status and its procedural history, specific records sought being ICE evidence packet filed in removal proceedings, proof of Lawful Permanent Resident status, I-90, I-94, apprehensions, entry documents into the US, I-485, I-751, family petitions, and I-130. Portions of the release were withheld pursuant of FOIA Exemptions 3, 5, 6,

7(C), 7(E). (Case Number USCIS NRC2021220125) The release is uploaded into SharePoint: [Click here to view](#)

- On January 25, 2022, U.S. Customs and Border Protection (CBP) released to **Edward Vrona**, an individual in East Atlantic Beach, New York, 48 pages of Border Wall Project Requirement Documents (PRD) regarding his request for the breakdown of all projects with funds authorized by Consolidated Appropriations Act, 2017 totaling \$341,200,000 to replace approximately 40 miles of existing primary pedestrian and vehicle border fencing along the southwest border. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2019-026709)
- On January 26, 2022, U.S. Customs and Border Protection (CBP) released to **William Melugin**, a reporter with *FOX News*, in Los Angeles, California, one page of data reflecting the number of Terrorist Screening Database (TSDB) encounters of known or suspected terrorists between 1/20/21 and 12/27/21. This record was released in full. (Case number CBP-2022-027906)
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- On January 26, 2022, U.S. Customs and Border Protection (CBP) issued to **Ms. Erin Siegal McIntyre**, an independent journalist in Chapel Hill, North Carolina, a no records response to her request for records related to an investigation of sexual assault at the training facility in Charleston, South Carolina in the mid-2000's. (Case Number CBP-2022-033956)
- On January 26, 2022, the Transportation Security Administration (TSA) released to **Tom Roussey**, a representative with *WJLA TV News* in Arlington, Virginia, three pages pertaining to the number of departing passengers screened by the TSA each day at BWI, DCA, and IAD listed by day for the following dates: (1) November 22-December 1, 2019; (2) November 20-29, 2020; and (3) November 19-28, 2021. These records were released in full. (Case Number TSA 2022-TSFO-00139)
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#### IV. Freedom of Information Act Appeals

- NSTR

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

- NSTR

#### VI. Litigation

- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (1:20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking copies of all form I-924As filed by EB-5 Regional Centers for fiscal year 2017. On January 21, 2022, USCIS released to the plaintiff 617 pages of records.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS, and United States Department of Homeland Security (DHS), et al., (1:20-*

*cv-02348*), plaintiff filed a FOIA request on April 18, 2020, seeking records “concerning the special training for Iraqi and Syria cases given to Asylum Officers. Dates from January 1, 2018, through the date you begin to process this request.”. On January 21, 2022, USCIS released to the plaintiff of 802 pages of records.

- In the matter of **Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS, and United States Department of Homeland Security (DHS), et al., (1:20-cv-02348)**, plaintiff filed a FOIA request on April 18, 2020, seeking records "Instruction Guidance, training materials given to asylum officers at the Arlington, Virginia asylum office, from January 1, 2020, through the present". On January 25, 2022, USCIS released to the plaintiff of 402 pages of records.

**19-cv-06809 (2020-HQLI-00008)** v. DHS On January 27, 2022, the Department of Homeland Security (DHS) Privacy Office will release to **Marika Hirose**, the litigation director of **International Refugee Assistance Project** (through their counsel, Pillsbury Winthrop Shaw Pittman LLP), in New York City, New York, 9 pages of records related to the surveillance and criminal investigation of refugees in the United States of America. Portions of this response are withheld pursuant to FOIA Exemptions 5 and 7e. (Case Number 2020-HQLI-00008)

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- In the matter of **Tahirih Justice Center v. USCIS; US Department of Homeland Security, (1:21-cv-04440)**, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to; "last-in-first-out" (LIFO) system under which USCIS give priority to the most recently filed affirmative asylum applications when scheduling interviews - USCIS returned to LIFO (from FIFO) on January 29, 2018. Any, and all rr's prepared, received. Transmitted, collected and or maintained by USCIS dated on or after January 1, 2017. On Wednesday, January 26, 2022, USCIS released to the plaintiff 115 pages.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
January 20, 2022- January 26, 2022  
DHS Privacy Office  
January 31, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On January 19, 2022, **Jose Olivares**, a representative with *The Intercept*, in Brooklyn, New York requested from the Office of Inspector General (OIG) records pertaining to use-of-force incidents and correctional officers' social media conduct, from the Stewart Detention Center, in 2020. (Case Number 2022-IGFO-00078)
- On January 20, 2022, **Anna Flagg**, a representative with *The Marshall Project* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to migrant children held in Border Patrol custody from July 1, 2021, to September 30, 2021. (Case Number 2022-CBP-034785)
- On January 20, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina requested from the Office of Inspector General (OIG) records pertaining to Equal Employment Opportunity Complaints (EEOC) involving sexual harassment submitted to OIG from January 1, 2002 through the present. (Case Number 2022-IGFO-00073)
- On January 20, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina requested from the Office of Inspector General (OIG) records pertaining to the U.S. Customs and Border Protection's (CBP) Office of Professional Responsibility (OPR) and OIG complaints of sexual harassment committed by or perpetrated against Border Patrol agents between the years of 2000 through the present. (Case Number 2022-IGFO-00074)
- On January 20, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina requested from the Office of Inspector General (OIG) records pertaining to deceased Border Patrol agent Esteban Manzanares. (Case Number 2022-IGFO-00075)
- On January 20, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina requested from the Office of Inspector General (OIG) records pertaining to animal cruelty committed by Border Patrol agents from January 1, 2013 to July 31, 2013 in Texas. (Case Number 2022-IGFO-00076)
- On January 20, 2022, **Sean Dunagan**, a representative with *Judicial Watch*, in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to investigations by OIG and the CBP Office of Professional

Responsibility of the alleged use of “whips” during immigration enforcement operations. (Case Number 2022-IGFO-00080)

- On January 20, 2022, **Kelly Yamanouchi**, a representative with *The Atlanta Journal-Constitution* in Atlanta, Georgia, requested from the Transportation Security Administration (TSA) records pertaining to civil penalties assessed for firearms at Hartsfield-Jackson from January 1, 2021 to December 31, 2021. (Case Number 2022-TSFO-00268)
- On January 20, 2022, **Jason Hopkin**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to email communications from DHS staff and DHS Secretary Alejandro Mayorkas related to the August 13, 2021 court order that requires the Biden Administration to reinstate the Migrant Protection Protocols. (Case number 2022-HQFO-00468)
- On January 24, 2022, **Jason Leopold**, a representative with *Buzzfeed News* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the communications between former White House official Stephen Miller and senior officials at CBP and U.S. Immigrations and Customs Enforcements (ICE) related to the use of Guantanamo Bay as a holding facility for illegal immigrants from January 1, 2018 to December 31, 2018 (Case Number 2022-HQFO-00479)
- On January 21, 2022, **Marc Cecotti**, a representative with *The War Zone/The Drive* in France, requested from the Transportation Security Administration (TSA) records pertaining to the sighting of drone(s) that occurred on June 9, 2017 in the vicinity of the Pentagon. (Case Number 2022-TSFO-00279)
- On January 21, 2022, **Marc Cecotti**, a representative with *The War Zone/The Drive* in France, requested from the Transportation Security Administration (TSA) records pertaining to the unauthorized drone(s) use to include a summary of an incident reported to Northern Connecticut Radio Control Club (NCRCC) from January 2015 to January 4, 2022. (Case Number 2022-TSFO-00280)
- On January 21, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina, requested from the Office of Inspector General (OIG) records related to the Joint Intake Center (JIC), Office of Professional Responsibility (OPR), Office of the Inspector General (OIG), and the Border Patrol Commissioner’s Situation Room pertaining to complaints of sexual harassment committed by or perpetrated against Border Patrol agents between the year 2001 through the present. (Case Number 2022-IGFO-00082)
- On January 21, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records pertaining to the “Game of Smiles” incident involving a female Border Patrol trainee based at a facility near Charleston, South Carolina. (Case Number 2022-IGFO-00083)
- On January 21, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina, requested from the Office of Inspector General (OIG) records pertaining to derogatory information, verified arrest incidents, and protection orders within the CBP office from June 2018 through the present. (Case Number 2022-IGFO-00084)

- On January 21, 2022, **Erin McIntyre**, a private individual from Chapel Hill, North Carolina, requested from the Office of Inspector General (OIG) records pertaining to an alleged targeting of journalists and immigration lawyers at the Southwest border. (Case Number 2022-IGFO-00085)
- On January 21, 2022, **Erin McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to the CBP Discipline Review reports from Rio Grande Valley sectors from the year 2012 through the present. (Case Number 2022- CBP-035155)
- On January 21, 2022, **Patrick Eddington**, a representative with **The Cato Institute** in Annandale, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to products produced or disseminated within or outside CBP mentioning U.S. Persons. (Case Number 2022-CBP -035041)
- On January 21, 2022, **Erin McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to former Border Patrol trainee Julia Monsivais between 2008 through the present (Case Number 2022-CBP-035153)
- On January 21, 2022, **Adam Turner**, a private individual in Arlington, Virginia requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP's vetting of Afghani refugees. (Case Number 2022-CBP-035049)
- On January 21, 2022, **James Hulme**, a representative with **Arent Fox LLP** in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to the Basic Ordering Agreement (BOA) approved and maintained by the U.S. Coast Guard for Atlantic Coast Marine Group, Inc. of Morehead City, North Carolina for the period January 1, 2020 through the present. (Case Number 2022-CGFO-00737)
- On January 22, 2022, **Michael Rosenfeld**, a private individual, requested from the United States Coast Guard (USCG) records pertaining to the decision of an individual's Religious Accommodation request. (Case Number 2022-CGFO-00735)
- On January 23, 2022, **Joseph Cox**, a representative with **VICE News** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Award ID HSSCCG17J00135. (Case Number 2022- COW-000329)
- On January 24, 2022, **Patrick Eddington**, a representative with **The Cato Institute** in Washington D.C., requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to guidance issued by the Secretary of Homeland Security regarding the implementation of the National Strategy for Countering Domestic Terrorism from June 1, 2021 through the present. (Case Number 2022-HQFO-00499)
- On January 24, 2022, **Patrick Eddington**, a representative with **The Cato Institute** in Washington D.C., requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to guidance issued by the Secretary of Homeland Security regarding the implementation of operations pursuant to the Executive Order 14034 from June 1, 2021 through the present. (Case Number 2022-HQFO-00502)

- On January 24, 2022, **Matthew Hoppock**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the order of operations and loci of responsibility within USCIS upon receiving notice that a visa applicant or petitioner has filed suit against the agency in federal court from January 20, 2009 through the present. (Case Number 2022-COW-000330)
- On January 24, 2022, **Andrew Free**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the order of operations and loci of responsibility within USCIS upon receiving notice that a visa applicant or petitioner has filed suit against the agency in federal court from January 20, 2009 through the present. (Case Number 2022-COW-000331)
- On January 24, 2022, **Elliott Tucker**, a representative with *In These Times* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to email exchanges between Alejandro Mayorkas and Chris Magnus from September 1, 2021 through the present (Case Number 2022-CBP-035912)
- On January 24, 2022, **Elliott Tucker**, a representative with *In These Times* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the email history of Chris Magnus that include the term "Haiti", "horse", or "whip" from September 15, 2021 through the present. (Case Number 2022-CBP-035913)
- On January 24, 2021, **Joseph Cox**, a representative with **Motherboard** in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Award ID 70B04C22F00000112 (Case Number 2022-CBP-035483)
- On January 24, 2022, **Jay Horowitz**, a representative with *Real World Police* in Tucson, Arizona, requested from the United States Coast Guard (USCG) records pertaining to video recordings of a vessel explosion which took place on October 20, 2017. (Case Number 2022-CGFO-00739)
- On January 24, 2022, **Chad Coppin**, a private individual, requested from the United States Coast Guard (USCG) records pertaining to procedures that the Office of Military Personnel Policy (COMDT) uses to make decisions about whether to approve a request for a religious accommodation to be exempt from getting the COVID-19 vaccine. (Case Number 2022-CGFO-00742)
- On January 25, 2022, **Ryan Gibson**, a representative with **Kaufman & Canoles P.C.** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the planning of a response strategy to remediate the presence of COVID-19 onboard the M/V MAERSK IDAHO in June 2020. (Case Number 2022-CGFO-00750)
- On January 25, 2022, **Charles Ratliff**, a private individual, requested from the Office of Inspector General (OIG) records pertaining to the RAMBO case. (Case Number 2022-IGFO-00086)



- On January 25, 2022, **Erin McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to the exit interviews of female border protection agents in the Rio Grande Valley sector from 2010 through the present. (Case Number 2022-CBP-036121)
- On January 25, 2022, **Erin McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to the exit interviews of female border protection agents in El Centro and San Diego sector from 2000 through the present. (Case Number 2022- CBP-036129)
- On January 25, 2022, **Roxanne Scott**, a private individual in Rosedale, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to missing migrants and rescues from January 1,2021 to December 31, 2021 in the Tucson and Yuma border patrol Sectors. (Case Number 2022-CBP-036191)
- On January 25, 2022, **Yardis Morgan**, a representative with **Protect the Public's Trust** in Burke, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records produced by or received by DHS's Designated Agency Ethics Official pertaining to political appointees of the Biden Administration. (Case Number 2022-HQFO-00505)
- On January 25, 2022, **Patrick Eddington**, a representative with **The Cato Institute** in Annandale, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to Border Patrol activities that exposed civil liability on the government. (Case Number CBP-2022-036244)

#### Late Requests:

- On December 28, 2021, **David McCraw**, a representative with **The New York Times** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Farooq Jan Mangal. (Case Number 2022-ICFO-06130)
- On December 30, 2021, **Michael Douglas Baker**, a representative with **KING5 News** in Seattle, Washington, requested from U.S. Citizenship and Immigration Services (USCIS) the immigration status and citizenship confirmation for Kshama Sawant. (Case Number 2022-COW-000004)
- On December 31, 2021, **Jason Hopkins**, a representative with the **Federation for American Immigration Reform** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications between USCIS employees and representatives of the National Partnership for New Americans from January 20, 2021 through December 31, 2021. (Case Number 2022-COW-000006)
- On January 03, 2022, **Michael Ravnitzky**, a representative with **Freelance** in Arlington, Virginia, requested from United States Coast Guard (USCG) records pertaining to memorandums in the office of the DHS Secretary from April 1, 2018 through the present. (Case Number 2022-CGFO-00709)

- On January 04, 2022, **Shira Wisotsky**, a representative with **American Civil Liberties Union** in Newark, New Jersey, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the COVID-19 vaccination history of detainees at the Elizabeth Contract Detention Facility (EDC). Additionally, records reflecting the COVID-19 vaccination rate among staff members who work at EDC. (Case Number 2022-ICFO-06134)
- On January 19, 2022, **Austin Evers**, a representative with **American Oversight**, in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to an assessment of the public health implications associated with the invocation of Title 42 as a means of expulsion or refusal of foreign nationals. (Case Number 2022-CBP-034065)
- On January 19, 2022, **Dan Schwartz**, a representative with **iHeart Radio**, in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) records pertaining to enforcement actions taken against five railroad companies at various southwest ports. (Case Number 2022-CBP-034142)
- On January 19, 2022, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Office of Professional Responsibility investigation of the alleged use of “whips” during enforcement operations. (Case Number 2022- CBP-034186)

### III. Freedom of Information Act Releases

- On January 20, 2022, U.S. Customs and Border Protection (CBP) released to **Timothy Warren**, a private individual in Washington, D.C, a full denial in response to his request for records pertaining to allegations of forced labor from January 1, 2021 to the present. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number 2022-CBP-026596)
- On January 20, 2022, U.S. Customs and Border Protection (CBP) released to **Owen Jarus**, a private individual in Mississauga, Ontario, a one-page of record pertaining to imports from Afghanistan under the Harmonized Tariff Schedule Chapter 97 from January 1, 2020 to December 31, 2021. Portions of this record were withheld pursuant to FOIA Exemption 4 and 7(E). (Case Number 2022- CBP-031671)
- On January 21, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Emily Baumgaertner**, a representative with **The New York Times** in Washington, D.C., 72 pages of records pertaining to communications concerning the possible addition of a Citizenship question to the 2020 Decennial Census. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number 2018-COW-000421)
- On January 21, 2022, the Transportation Security Administration (TSA) released to **Edward Hasbrouck**, a representative with **The Identity Project** in San Francisco, California, 430 pages of records pertaining to public comments received in response to the notice TSA published in accordance with the Paperwork Reduction Act on

November 8, 2016. Portions of the release were withheld pursuant to FOIA Exemptions 2, 5, and 6. (Case Number 2022-TSFO-00139)

- On January 22, 2022, U.S. Customs and Border Protection (CBP) released to **Erin McIntyre**, a private individual in Chapel Hill, North Carolina, a no records response to her request for all records related to exit interviews of female trainees at the Border Patrol Academy in Artesia, New Mexico from 2004 through the present. (Case Number 2022- CBP-033950)
- On January 24, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Wayne Ma**, a representative with *The Information* in San Francisco, California, a one-page record pertaining to I-129 H1B Petitions by Facebook for beneficiaries born in China from January 1, 2008, through November 4, 2019. These records were released in full. (Case Number 2019- COW-501603)
- On January 24, 2022, the Federal Emergency Management Agency (FEMA) released to **Zak Cassel**, a representative with *Columbia Journalism Investigations* in New York, New York, a one-page record pertaining to federal fire management declarations from any eligible non-federal governmental entity. The spreadsheet was released in full. (Case Number 2022-FEFO-00117)
- On January 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Kamephis Perez**, a private individual in New York, New York, 998 pages of records pertaining to Laith Nakli's current immigration status and its procedural history. Portions of the release were withheld pursuant of FOIA Exemptions 3, 5, 6, 7(C), 7(E). (Case Number 2021-NRC-220125)
- On January 25, 2022, U.S. Customs and Border Protection (CBP) released to **Edward Vrona**, a private individual in East Atlantic Beach, New York, 48 pages of records pertaining to the Border Wall Project Requirement Documents (PRD). Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number 2019-CBP-026709)
- On January 26, 2022, U.S. Customs and Border Protection (CBP) released to **William Melugin**, a representative with *FOX News*, in Los Angeles, California, a one-page record pertaining to Terrorist Screening Database (TSDB) encounters of known or suspected terrorists between January 20, 2021 through December 27, 2021. This record was released in full. (Case number 2022- CBP-027906)
- On January 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with *MuckRock* in Somerville, Massachusetts, 68 pages of records pertaining to the training materials used for preparing Form I-213. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-77889)
- On January 26, 2022, U.S. Customs and Border Protection (CBP) released to **Erin McIntyre**, a private individual in Chapel Hill, North Carolina, a no records response to her request for records pertaining to an investigation of sexual assault at the training facility in Charleston, South Carolina in the mid-2000's. (Case Number 2022- CBP-033956)

- On January 26, 2022, the Transportation Security Administration (TSA) released to **Tom Roussey**, a representative with *WJLA TV News* in Arlington, Virginia, records pertaining to the number of departing passengers screened by the TSA each day at three Washington D.C. airports. These records were released in full. (Case Number 2022-TSFO-00139)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Rapid Defense Network and Transgender Law Center v. United States Immigration and Customs enforcement (ICE) (21-cv-06788)*, the plaintiff filed a FOIA requests on August 6, 2018, seeking records arising from two FOIA requests filed with ICE on April 19, 2021, that sought records regarding transgender detainee segregation and Prison Rape Elimination Act (PREA) report. On January 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 422 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (1:20-cv-02082)*, the plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to Form I-924A filed by EB-5 Regional Centers for fiscal year 2017. On January 21, 2022, U.S. Citizenship and Immigration Services (USCIS) released 617 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. United States Department of Homeland Security (DHS), et al., (1:20- cv-02348)*, the plaintiff filed a FOIA request on April 18, 2020, seeking records pertaining to special training given to Asylum Officers from January 1, 2018, through the present. On January 21, 2022, U.S. Citizenship and Immigration Services (USCIS) released 802 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. United States Department of Homeland Security (DHS), et al., (1:20- cv-02348)*, the plaintiff filed a FOIA request on April 18, 2020, seeking records pertaining to "Instruction Guidance" training materials given to asylum officers at the Arlington, Virginia asylum office, from January 1, 2020, through the present. On January 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released 402 pages of records to the plaintiff.
- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (1:21-cv-01843)*, the plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly operational summary Safety Reports filed by contractors working with ICE Air Operations (IAO) from 2003 through the present. Additionally, seeking records pertaining to alleged misconduct by IAO employees from 2003

through the present. On January 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 299 pages of records to the plaintiff.

- In the matter of *Crew v. U.S. Immigration and Customs Enforcement (ICE)*, (1:20-cv-02553) the plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to the decision to deploy federal agents to Portland, Oregon and Chicago, Illinois. On January 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 90 pages of records to the plaintiff.
- In the matter of *Open Society Justice Initiative v. U.S. Immigration and Customs Enforcement (ICE)* (1:20-cv-00706) the plaintiff filed FOIA requests on January 28, 2021 seeking records pertaining to the implementation of denaturalization efforts in the United States. On January 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 61 pages of records to the plaintiff.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement (ICE)* (21-cv-03462) the plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to ICE's policies and procedures. On January 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 198 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS)* (21-cv-2168) the plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to “written reports” referred to in a subsection titled “Weekly Reporting of All Enforcement and Removal Actions”. On January 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 274 pages and 3 excel spreadsheets of records.
- In the matter of *International Refugee Assistance Project v. U.S. Department of Homeland Security (DHS)* (19-cv-06809) (2020-HQLI-00008) the plaintiff filed a FOIA request on February 25, 2019, seeking records pertaining to the surveillance and criminal investigation of refugees in the United States of America. On January 27, 2022, the Department of Homeland Security (DHS) Privacy Office released 9 pages of records to the plaintiff.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS) U.S. Department of Homeland Security (DHS)*(1:21-cv-04440), the plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to the “last-in-first-out” (LIFO) system. On January 26, 2022, U.S. Citizenship and Immigration Services (USCIS) released 115 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
February 10 – February 16, 2022  
DHS Privacy Office  
February 22, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On February 10, 2022, **Benjamin Wittes**, a representative with **The Brookings Institution** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the results of the annual intelligence community employee climate surveys that were administered from 2015 through 2020. (Case Number 2022-HQFO-00586)
- On February 11, 2022, **Adam Turner**, a representative with **CASA of DC**, in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the development and approval of the Press Release issued by the Department on February 7, 2022, titled “DHS Issues National Terrorism Advisory System (NTAS) Bulletin.” Records were requested for the communication history of Alejandro Mayorkas, John Tien, Eric Hysen, Alice Lugo, Marsha Espinosa, Katherine Culliton-Gonzalez, Dmitri Kusnezov, Robert Silvers, John D. Cohen, Eva A. Millona, Jen Easterly, individuals within the Executive Office of the President, Office of the Vice President, Office of Management and Budget, Federal Communications Commission, or Department of Justice and individuals working for or representing Facebook, Twitter, YouTube, Apple, Amazon, or Google from January 1, 2022 through the present (Case Number 2022-HQFO-00591)
- On February 11, 2022, **Adam Turner**, a representative with **CASA of DC**, in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the process to change the mission and name of the reorganized Center for Prevention Programs and Partnerships (CP3). To include records pertaining to the communication history of Alejandro Mayorkas, John Tien, Eric Hysen, Alice Lugo, Marsha Espinosa, Katherine Culliton-Gonzalez, Dmitri Kusnezov, Robert Silvers, John D. Cohen, Eva A. Millona, Jen Easterly. Additionally, records were requested related to the January 6th Capital riot. Lastly, records pertaining to non-profit organizations, social media and technology companies, cultural organizations, or other community organizations that have applied or received federal funds in any form since January 21, 2021, as part of a CP3 Partnership. (Case Number 2022-HQFO-00592)
- On February 11, 2022, **Adam Turner**, a representative with **CASA of DC**, in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the development of the term MDM (mis- dis- and

mal-information). To include the communication history of Alejandro Mayorkas, John Tien, Eric Hysen, Alice Lugo, Marsha Espinosa, Katherine Culliton-Gonzalez, Dmitri Kusnezov, Robert Silvers, John D. Cohen, Eva A. Millona, Jen Easterly. Additionally, records were requested related to the phrase “false or misleading narratives and conspiracy theories” as it relates to foreign and domestic threats from January 21, 2021, through the present. (Case Number 2022-HQFO-00593)

- On February 11, 2022, **Adam Turner**, a representative with **CASA of DC**, in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Press Releases that place “false or misleading narratives” as a major threat to the American homeland. To include narratives regarding unsubstantiated widespread election fraud and COVID-19 from January 21, 2021, through February 7, 2022. (Case Number 2022-HQFO-00596)
- On February 11, 2022, **Adam Turner**, a representative with **CASA of DC**, in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to application materials and subsequent communications with agency officials for any non-profit organization that applied for and was approved to receive a federal grant from the Nonprofit Security Grant Program (NSGP) since January 21, 2021. (Case Number 2022-HQFO-00597)
- On February 12, 2022, **Anne Weismann**, a representative with **CREW** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the decision to deploy federal law enforcement agents, officers, or other personnel in response to the ongoing protests over racial justice in several states. Additionally, records were requested pertaining to policies to which law enforcement officers under the auspices of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) are bound to govern the treatment of protesters. (Case Number 2022-HQFO-00595)
- On February 12, 2022, **Kelley Richard**, a representative with **Citizen** in Elkhart, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the security of Dominion voting machines in the State of Georgia during the 2020 Presidential Election. (Case Number 2022-HQFO-00607)
- On February 14, 2022, **Jacob Fenton**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the email history of DHS employee Bhargav Patel between May 1, 2020, and November 1, 2021, containing the word "Portland". (Case Number 2022-HQFO-00609)
- On February 14, 2022, **Zach Stieber**, a representative with **The Epoch Times** in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications to and from Alejandro Mayorkas mentioning "truck", "truckers", or "bridge" from January 13, 2022, to February 13, 2022. (Case Number 2022-HQFO-00608)

**Late Requests:**

**III. Freedom of Information Act Releases**

**IV. Freedom of Information Act Appeals**



- Nothing significant to report.

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

- Nothing significant to report.

**VI. Litigation**

**Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
February 10 – February 16, 2022  
DHS Privacy Office  
February 22, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On February 10, 2022, **Benjamin Wittes**, a representative with **The Brookings Institution** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office for records pertaining to the results of the annual intelligence community employee climate surveys that were administered from 2015 through 2020. (Case Number 2022-HQFO-00586)
- On February 10, 2022, **Jin Johnson**, a private individual in New London, Connecticut, requested from the United States Coast Guard (USCG) for records pertaining to the list of vaccines purchased by the Coast Guard Academy during the entire time of distribution. (Case Number USCG 2022-CGFO-00857)
- On February 10, 2022, **Kay Reeves**, a representative with **Waters Kraus** in Dallas, Texas, requested from the United States Coast Guard (USCG) for records pertaining to certificates and compliance documents during the years 1986-1990. (Case Number USCG 2022-CGFO-00860)
- On February 10, 2022, **Samuel Rosado**, a representative with **Autistici Inventati** in Bethesda, Maryland, requested from U.S. Customs and Border Protection (CBP) for records pertaining to the development and deployment of Ghost Robotics. (Case Number CBP-2022-042117)
- On February 10, 2022, **Enrique Velasco**, a private individual from Madrid, Spain, requested from U.S. Customs and Border Protection (CBP) for records pertaining to the number of Spanish citizens with Electronic System for Travel Authorization (ESTA) canceled at inspection from the date of January 1, 2019, through the present. (Case Number CBP-2022-042091)
- On February 10, 2022, **Lauren Etter**, a representative with **Bloomberg News** in Los Angeles, California requested from U.S. Customs and Border Protection (CBP) for records pertaining to correspondences, to or from affiliates of “Mediterranean Shipping Company” between the dates of June 2019 to February 10, 2022. (Case Number CBP-2022-042600)
- On February 11, 2022, **Jean-Vincent**, a representative with **Hunter Maclean** in Savannah, Georgia, requested from the United States Coast Guard (USCG) for records pertaining to an incident of sexual assault with a deadly weapon on board

M/V JEJU ISLAND which occurred on August 06, 2021. (Case Number USCG 2022-CGFO-00870)

- On February 11, 2022, **Adam Turner**, a representative with **CASA of DC**, in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office for records pertaining to the development and approval of the Press Release issued by the Department on February 7, 2022, titled “DHS Issues National Terrorism Advisory System (NTAS) Bulletin.” (Case Number 2022-HQFO-00591)
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- On February 12, 2022, **Anne Weismann**, a representative with **CREW** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office for records pertaining to the decision to deploy federal law enforcement agents, officers, or other personnel in response to the ongoing protests over racial justice in several states. Additionally, records were requested pertaining to policies to which law enforcement officers under the auspices of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) are bound to govern the treatment of protesters. (Case Number 2022-HQFO-00595)
- On February 12, 2022, **Kelley Richard**, a representative with **Citizen** in Elkhart, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office for records pertaining to the security of Dominion voting machines in the State of Georgia during the 2020 Presidential Election. (Case Number 2022-HQFO-00607)
- On February 14, 2022, **Jacob Fenton**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office for records pertaining to the email history of DHS employee Bhargav Patel between May 1, 2020, and November 1, 2021, containing the word "Portland". (Case Number 2022-HQFO-00609)

- On February 14, 2022, **Zach Stieber**, a representative with *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office for records pertaining to and from Alejandro Mayorkas mentioning "truck", "truckers", or "bridge" from January 13, 2022, to February 13, 2022. (Case Number 2022-HQFO-00608)
- On February 14, 2022, **Peter J Wagner**, a representative with *CityNews Vancouver* in Ferndale, Washington, requested from U.S. Customs and Border Protection (CBP) for records pertaining to the Freedom Convoy, between the dates of January 28, 2022, to February 13, 2022. (Case number CBP-2022-043317)
- On February 14, 2022, **Jennie Russell**, a private individual, in Edmonton Canada, requested from U.S. Customs and Border Protection (CBP) for records pertaining to the blockades at the Sweet Grass- Coutts border crossing, from January 1, 2022, to February 13, 2022. (Case number CBP-2022-043296)
- On February 14, 2022, **Lauren Etter**, a representative with *Bloomberg News* in Los Angeles, California requested from U.S. Customs and Border Protection (CBP) for records pertaining to the suspension of the Mediterranean Shipping Company's Customs-Trade Partnership Against Terrorism (CTPAT) certifications from the dates of January 1, 2019, through the present. (Case Number CBP-2022-043581)
- On February 14, 2022, **Julie Wernau**, a representative with *The Wall Street Journal* in New York, New York, requested from U.S. Customs and Border Protection (CBP) for records pertaining to "The Narcotics Interdiction Guide Handbook" and the Canine Enforcement Program Directive. (Case number CBP-2022-043515)
- On February 15, 2022, **Hart Wood**, s representative with **American Oversight** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) for records pertaining to an after-action report of prosecutions conducted by the Acting Chief of Operations at the El Paso Sector, between the dates of November 1, 2017, to June 1, 2018. (Case number CBP-2022-043728)
- On February 16, 2022, **Dave Beaty**, a representative with **Dreamtime Entertainment** in Fort Myers, Florida, requested from the United States Coast Guard (USCG) for records pertaining to unidentified drones that made unauthorized incursions near Navy vessels and into the Navy's Southern California Operations and Warning Areas (SOCAL OPAREA) in July 2019. (Case Number USCG 2022-CGFO-00937)

**Late Requests:**

- On February 9, 2022, **Tanvi Misra**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) for records pertaining to official directives including the term "Controlled Application Review and Resolution Program" and "CARRP" from 2008 through the present. (Case Number USCIS COW 2022-000651)
- On February 9, 2022, **Carl Williams**, a representative with **International Aero Consulting** in Sacramento, California, requested from U.S. Customs and Border Protection (CBP) for records pertaining to the alleged use of whips by Border Patrol. (Case Number CBP-2022-041525)

### III. Freedom of Information Act Releases

- On February 15, 2022, the Transportation Security Administration (TSA) released to **Sean Cudahy**, a representative with **CBS 17** in Raleigh, North Carolina, a one-page record pertaining to the number of guns found at TSA airport checkpoints nationwide from 2011 through the present. These records were released in full. (Case Number 2022-TSFO-00181)
- On February 15, 2022, the Federal Emergency Management Administration (FEMA) released to **Ana Correa**, a representative with **Earthjustice** in Miami, Florida, 279 pages and 1 spreadsheet of record consisting of Final Grant Agreements between Puerto Rico Electric Power Authority and FEMA related to the funds awarded under FEMA's Public Assistance Alternative Procedures. The records were released in full. (Case Number 2021-FEFO-00016)
- On February 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Cora Currier**, a representative with **The Intercept** in New York City, New York, 300 pages of records pertaining to the monitoring of criminal elements in Central American migrant caravans. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-18510)
- On February 15, 2022, U.S. Customs and Border Protection (CBP) issued to **Lauren Etter**, a representative with **Bloomberg News** in Los Angeles, California, a full denial in response to her request seeking records relating to a suspension of a Customs-Trade Partnership Against Terrorism (C-TPAT) certification issued to the Mediterranean Shipping Company from 2019-2022. These records were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case Number CBP-2022-0043581)
- On February 16, 2022, U.S. Customs and Border Protection (CBP) released to **Zachary Kopplin**, a representative with the **Government Accountability Project** in New Orleans, Louisiana, 60 pages of records pertaining to the order to keep Border Patrol stations open and immigration enforcement activities in effect during Hurricane Harvey. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2017-083245)
- On February 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Aaron Kunkler**, a representative with **Sound Publishing** in Kirkland, Washington, 598 pages of records pertaining to contracts for transportation services at the Northwest Detention Center in Tacoma, Washington, from July 15, 2018, to July 15, 2019. Portions of the release will be withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number 2019-ICFO-48724)

### IV. Freedom of Information Act Appeals

- Nothing significant to report.

### V. Freedom of Information Act Appeals Releases

- Nothing significant to report.

## VI. Litigation

- In the matter of the *Immigrant Defense Project (IDP) v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-02520)*, the plaintiff filed a FOIA request on December 20, 2017, requesting records pertaining to civil immigration arrests by ICE agents that occurred within the proximity of New York State courthouses. On February 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 483 pages of records to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-6239)*, the plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact black immigrants in ICE detention. On February 11, 2022, U.S. Immigration and Customs Enforcement (ICE) released 108 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA (IIUSA) v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (20-cv-02850)*, the plaintiff filed a FOIA request on September 3, 2019, seeking records pertaining to form I-924A filed by EB-5 Regional Centers pursuant to program requirements for the Fiscal Year 2018. On February 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 2,194 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA (IIUSA) v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS)(20-cv-02850)*, the plaintiff filed a FOIA request on March 11, 2020, seeking records pertaining to form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2019. On February 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 18 pages of records to the plaintiff.
- In the matter of *Partially Important Productions, LLC v. U.S. Citizenship and Immigration Services (USCIS)(21-cv-02169)*, the plaintiff filed a FOIA request on January 24, 2020, seeking records pertaining to the settlement negotiations between the musician Lee Greenwood and USCIS over USCIS's alleged copyright infringement of Greenwood's song "God Bless the USA" and current Naturalization Ceremony Presentations. On February 14, 2022, U.S. Citizenship and Immigration Services (USCIS) released 15 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-2725)*, the plaintiff filed FOIA requests on August 6, 2018, seeking records pertaining to the health care provided to people held under immigration laws in Kenosha County, Wisconsin. On February 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 44 pages and 2 excel spreadsheets of records to the plaintiff.
- In the matter of *Lawyers' Committee for Civil Rights Under Law v. U.S Department of Justice (DOJ) U.S. Department of Homeland Security (DHS) (18-cv-00167)*

(2018-HQLI-00014), the plaintiff filed a FOIA request on October 24, 2017, seeking records pertaining to communications between any DHS personnel and several individuals named in their request from January 20, 2017, through the present. On February 14, 2022, the U.S. Department of Homeland Security (DHS) released 2 pages of records to the plaintiff.

- In the matter of *American Immigration Council v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-03266)*, the plaintiff filed a FOIA request on December 21, 2019, requesting records pertaining to instructions, directives, or guidance to U.S. Department of Homeland Security (DHS) employees on Migrant Protection Protocols (MPP) from December 2019 through the present. On February 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 136 pages of records.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (21-cv-02328)*, the plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On February 14, 2022, U.S. Citizenship and Immigration Services (USCIS) released 853 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) and the U.S. Department of Homeland Security (DHS) (21-cv-02632)* the plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI under Contract Award ID 70CMSD20P00000130, along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On February 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 527 pages of records to the plaintiff.
- In the matter of *Rapid Defense Network and Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06788)*, the plaintiff filed FOIA requests on August 6, 2018, seeking records arising from two FOIA requests filed with ICE on April 19, 2021, that sought records regarding transgender detainee segregation and Prison Rape Elimination Action (PREA) repo. On February 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 505 pages of records to the plaintiff.
- In the matter of *Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)* the plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to the email history of USCIS ombudsman Julie Kirchner. On February 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 166 pages of records to the plaintiff.
- In the matter of *Buzzfeed v. U.S. Department of Homeland Security (18-cv-01957) (2018-HQLI-00039)* the plaintiff filed a FOIA request seeking records pertaining to emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of

Homeland Security Kirstjen Nielsen related to immigration. On February 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 616 pages of records to the plaintiff.

- In the matter of *Citizens for Responsibility and Ethics In Washington v. U.S. Department of Homeland Security (19-cv-03544) (2020-HQLI-00010)*, the plaintiff filed a FOIA request on August 18, 2017, seeking records pertaining to the calendar history of Katharine Gorka. On February 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 166 pages of records to the plaintiff.
- In the matter of *Phillips v. U.S. Department of Homeland Security (DHS) (19-cv-01971) (2019-HQLI-00027)*, the plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE) and the DT Threat Assessment. On February 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 93 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-2168)*, the plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to “written reports” referred to in the subsection titled “Weekly Reporting of All Enforcement and Removal Actions” on page 7 of a memorandum from Tae D. Johnson to “All ICE Employees” with a subject line of “Interim Guidance: Civil Immigration Enforcement and Removal Priorities” (Feb. 18, 2021) (the “Interim Guidance”). On February 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 2 excels of records to the plaintiff.
- In the matter of *Electronic Privacy Information Center v. U.S. Immigration and Customs Enforcement (ICE); (20-cv-03071)* the plaintiff filed a FOIA request on October 26, 2020, seeking records pertaining to ICE's use of Clearview AI technology and ICE use of facial recognition software. On February 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 71 pages of records to the plaintiff.



## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

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

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**Freedom of Information Act (FOIA) Activity for the Week of  
February 17, 2022 – February 23, 2022  
DHS Privacy Office  
February 28, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On February 16, 2022, **Camilo A. Montoya-Galvez Clara**, a representative of *CBS News*, in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to Title 42 expulsions of unaccompanied children in the fiscal year 2021 sent by Branch Chief Justin Long from January 10, 2022, through January 14, 2022. (Case Number CBP 2022-044280)
- On February 17, 2022, **Najib Aminy**, a representative of *The Center for Investigative Reporting* in Emeryville, California, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Afghan Evacuation and Post Evacuation Efforts. (Case Number COW 2022-000785)
- On February 17, 2022, **Chris Stanley**, a representative of **Functional Government Initiative** in Washington, D.C. requested the Transportation Security Administration Security (TSA) records pertaining to analysis discussing how a cloth mask would protect against COVID-19 from January 1, 2020, through the present. (Case Number TSA 2022-TSFO-00348)
- On February 17, 2022, **Morgan Yardis**, a representative of **Protect the Public's Trust** in Burke, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between political appointees and representatives of the following external organizations: O'Melveny & Myers, WilmerHale, WestExec, SKD Knickerbocker, Arabella Advisors, AFL-CIO, SEIU, International Brotherhood of Teamsters, American Federation of Teachers, National Education Association, American Federation of State, County and Municipal Employees (AFSCME) (Case Number 2022-HQFO-00623)
- On February 17, 2022, **Jordan Lassiter**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to departmental policy about officer identification and interactions with the public. Additionally, seeking department policy pertaining to the use of recording devices used when interacting with the public. (Case Number 2022-HQFO-00632)
- On February 17, 2022, **Sean Dunagan**, a representative of **Judicial Watch** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the February 2, 2022 report prepared by the

University of Michigan Center for Computer Security and Society Director J. Alex Halderman regarding the operation of Dominion voting systems in the state of Georgia (Case Number 2022-NPFO-00080)

- On February 18, 2022, **Liz Stark**, a representative of *CNN* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the communication history between officials at CBP related to protest at the US-Canada border from January 1, 2022, through February 15, 2022. (Case Number CBP-2022-045235)
- On February 18, 2022, **Jason Buch**, a private individual in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the data collected by the Border Safety Initiative Tracking System (BSITS) Module for each event entered from January 1, 2009, through December 31, 2021. (Case Number CBP-2022-045556)
- On February 20, 2022, **George Pierce**, a private individual in Fremont, Ohio, requested from U.S. Customs and Border Protection (CBP) records pertaining to Treasury Enforcement Communications System (TECS) training materials provided to participants at the United States Border Patrol Academy in Artesia, New Mexico from January 1, 2019, through the present. (Case Number CBP-2022-045724)
- On February 20, 2022, **Rose Santos**, a representative of **FOIA Group Inc** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Task Order Proposal submitted in response to task order HSHQEH16J00036 awarded under contract HSS0112D0022 (Case Number 2022-HQFO-00626)
- On February 22, 2022, **Chris Stanley**, a representative of **Functional Government Initiative** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the total aggregate hours requested by DHS employees for leave, time off, and absences from January 1, 2018, to December 30, 2021 (Case Number 2022-HQFO-00628)
- On February 20, 2022, **Rose Santos**, a representative of **FOIA Group Inc** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Task Order 70RCSA21FR0000071 title page and the Task Order's current Statement of Work/Performance Work Statement (SOW/PWS) from February 2, 2020, to February 22, 2022. (Case Number 2022-NPFO-00081)
- On February 22, 2022, **Rose Santos**, a representative of **FOIA Group Inc** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Task Order 70US0922F2GSA0006 title page and the Task Order's current Statement of Work/Performance Work Statement (SOW/PWS) from February 1, 2020, to February 4, 2022. (Case Number 2022-HQFO-00633)
- On February 22, 2022, **Rose Santos**, a representative of **FOIA Group Inc** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS)

Privacy Office records pertaining to Task Order HSHQDC08J00368 title page and the Task Order's current Statement of Work/Performance Work Statement (SOW/PWS) from February 22, 2007, to February 22, 2022. (Case Number 2022-HQFO-00634)

- On February 22, 2022, **Rosalie Powell**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the resume and interview score sheets for 2 government job announcements. Case Number (2021-FPFO-00211)
- On February 22, 2022, **Tim R. McMillan**, a representative of *The Debrief* in Europe, requested from U.S. Customs and Border Protection (CBP) records pertaining to the detection, observation, or investigation of "Unidentified Aerial Phenomena" maintained by the Air Marine Operations Center (AMOC) in Riverside, California. (Case Number CBP-2022-045760)
- On February 22, 2022, **Lyra Straley**, a representative of **Emery Celli Brinckerhoff Abady Ward & Maazel LLP**, in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the communication history between CBP and Loyal Source Government Services (LSGS) regarding staffing, medical services, and policies pertaining to operations of the Border Patrol facilities in McAllen and Weslaco, Texas from June 1, 2018, through July 31, 2019. (Case Number CBP-2022-046192)
- On February 22, 2022, **Travis Liberman**, a representative of **California State University, Maritime Academy** in Mission Viejo, California, requested from the United States Coast Guard (USCG) records pertaining to injuries, deaths, and or sexual assault cases aboard the USTS GOLDEN BEAR from 1990 - 2021. (Case Number USCG 2022-CGFO-00956)
- On February 22, 2022, **Peter Eisler**, a representative of **Thomson Reuters** in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to investigations and legal administrative actions involving U.S. Coast Guard personnel who have been subject to allegations or findings that they engaged in prohibited political or extremist activities from January 1, 2021, through the present. (Case Number USCG 2022-CGFO-00981)
- On February 23, 2022, **Jason Hopkins**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications from DHS staff, including Immigration and Customs Enforcement (ICE) staff, that pertains to the subject of "Ed Gonzalez," his immigration policies, and his nomination process to be Director of ICE, from January 20, 2021, through the present. (Case Number 2022-HQFO-00638)
- On February 23, 2022, **Chris Nelson**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to human to animal and animal to human infectivity of COVID-19 from March 20, 2020, to February 23, 2022. (Case Number 2022-HQFO-00636)

- On February 23, 2022, **Michael West**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the payment to contractors and subcontractors involved in the process of conducting background investigations for pre-employment, security clearances, or investigations into positions impacting the national security. (Case Number 2022-HQFO-00637)

**Late Requests:**

- On January 11, 2022, (b)(6) a representative of **The United States Embassy at La Paz, Bolivia**, in Woodbridge, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the individuals Alien File. (Case Number NRC 2022-012470)

**III. Freedom of Information Act Releases**

- On February 17, 2022, U.S. Customs and Border Protection (CBP) issued to **Lance A. Kirby**, a representative of **Jones, Galligan, Key & Lozano** in Weslaco, Texas, a no records determination in response to his request for documents reflecting the cost of construction of the concrete barrier and border fence for the Chimney Rock RV Park section of the border fence, Mission, Hidalgo County, Texas. (Case Number CBP-2022-039731)
- On February 18, 2022, U.S. Customs and Border Protection (CBP) issued to **Erin Siegal McIntyre**, a representative of **Schuster Institute for Investigative Journalism and Brandeis University** in Chapel Hill, North Carolina, a no records determination in response to her request seeking records related to a deceased Border Patrol agent. (Case number CBP-2022-033962)
- On February 19, 2022, U.S. Customs and Border Protection (CBP) issued to **Rachael Levy**, a representative of **The Wall Street Journal**, in Washington, D.C., a no records determination in response to her request seeking records related to internal complaints of domestic violent extremism from January 1, 2010, through the present. (Case number CBP-2021-077029)
- On February 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Jeremy Redmon**, a representative of **The Atlanta Journal** in Atlanta, Georgia, 44 pages in response to his request seeking records pertaining to the Deyton Detention Facility. Portions of the release will be withheld pursuant to FOIA Exemptions 4, 5, 6, 7(C), and 7(E). (Case Number 2021-ICFO-38519)
- On February 23, 2022, U.S. Customs and Border Protection (CBP) released to **Erin Siegal McIntyre**, a representative of **Schuster Institute for Investigative Journalism and Brandeis University** in Chapel Hill, North Carolina, three pages consisting of investigative reports. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case number CBP-2022-033948)
- On February 23, 2022, U.S. Customs and Border Protection (CBP) released to **Nick Miroff**, a representative of **The Washington Post**, in Washington, D.C., one page

consisting of fence breach attempts and repairs. This record was released in full. (Case Number CBP-2022-039565)

- On February 23, 2022, U.S. Customs and Border Protection (CBP) released to **David Bier**, a representative of *Cato Institute* in Washington, D.C., one page consisting of border barrier mileage. This record was released in full. (Case Number CBP-2022-040641)
- On February 23, 2022, Transportation Security Administration (TSA) released to **Elise Nolan**, a representative of *CBS Boston*, in Boston, Massachusetts, 606 pages of complaints filed by travelers at Logan International Airport against TSA agents, supervisors, or systems from January 1, 2015, through May 31, 2017. (Case Number TSA 2017-TSFO-00282)

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

- On February 23, 2022, **Samuel Mukiibi** on behalf of **Kimberly Evans** appealed the Office of Inspector General's Final Decision response in its' entirety. (Appeal Case Number 2022-IGAP-00017)

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Reed Smith LLP v. U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP) (21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to the United States Border Patrol transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On February 16, 2022, U.S. Customs and Border Protection (CBP) released its third interim response, consisting of 4 pages of secondary inspection records to the plaintiff.
- In the matter of *Freddy Martinez v. U.S. Department of Homeland Security (DHS) (21-cv-0341)*, the plaintiff filed a FOIA request on February 8, 2021, seeking records pertaining to the scope, purpose, and objectives of Operation Palladium. On February 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,243 pages of records to the plaintiff.
- In the matter of *Contreras & Metelska v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01148)*, plaintiff filed a FOIA request on May 11, 2021, seeking records pertaining to six current and former attorneys employed by Contreras & Metelska, PA. On February 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 125 pages of records to the plaintiff.
- In the matter of *Organized Communities Against Deportations (OCAD), Immigrant Defense Project (IDP), and Center for Constitutional Rights (CCR) v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE's decision to expend

resources to establish “Citizens Academies”. On February 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 372 pages of records to the plaintiff.

- In the matter of *WyoSayNo, Sierra Club and Natural Resources Defense Council, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (1:21-cv-05663)*, plaintiff filed a FOIA request on June 30, 2021, seeking records pertaining to plans to build an immigration detention center in or near Evanston, Wyoming. On February 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released 423 pages of records to the plaintiff.
- In the matter of *Texas Civil Right Project v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02389)*, plaintiff filed a FOIA request on August 27, 2020, seeking records pertaining to ICE’s role in the ACA program, the Humanitarian Asylum Review Process (HARP) Program, the Prompt Asylum Review (PACR) Program, and the Title 42 expulsion Program. On February 22, 2022, Immigrations and Customs Enforcement (ICE) released 657 pages of records to the plaintiff.
- In the matter of *Justice Action Center v. U.S. Immigration and Customs Enforcement (ICE) (2:20-cv-06982)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the Federal Government’s Policies and Instructions regarding the re-calendaring of Deferred Action for Childhood Arrivals (DACA) recipients for removal proceedings. On February 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 13 pages of records to the plaintiff.
- In the matter of *Justice and Diversity Center v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-05208)*, plaintiff filed a FOIA request on July 29, 2020, seeking records pertaining to the Alternatives to Detention (ATD) program from U.S. Immigration and Customs Enforcement (ICE). On February 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 499 pages of records to the plaintiff.
- In the matter of *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Justice (DOJ) and U.S. Department of Homeland Security (DHS) (20-cv-02553)*, plaintiff filed a FOIA request on July 23, 2020, seeking records pertaining to the deployment of CBP personnel to protests, as a result of the death of George Floyd. Plaintiff filed suit on September 11, 2020, claiming injunctive and declaratory relief. On February 22, 2022, U.S. Customs and Border Protection (CBP) released its twelfth interim response, consisting of 68 pages of email correspondence to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (1:20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924As filed by EB-5 Regional Centers for the fiscal year 2017. On February 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 162 pages of records to the plaintiff.

- In the matter of *Louise Trauma Center v. United States Department of Homeland Security (DHS) (20-cv-02371)*, plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to distance learning for newly hired asylum officers from January 1, 2020, through the present. On February 23, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,434 pages of records to the plaintiff.
- In the matter of *Tempey v. U.S. Department of Homeland Security (DHS) (20-cv-02512) (HQLI 2021-00004)* plaintiff filed a FOIA request on August 9, 2018, seeking records pertaining to the issuance of a 2018 DHS press release entitled “We Must Secure the Border and Build the Wall to Make America Safe Again”. On February 23, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 236 pages of records to the plaintiff.
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)(21-cv-00545) (HQLI-2021-00017)* plaintiff filed a FOIA request on January 11, 2021, seeking records pertaining to the planning of protests in Washington, D.C. on January 6, 2021, by supporters of President Donald Trump. On February 23, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 94 pages of records to the plaintiff.
- In the matter of *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Justice (DOJ), U.S. Department of Homeland Security (DHS) (1:20-cv-2553) (HQLI-2021-00009)*, plaintiff filed a FOIA request on July 23, 2020, seeking records pertaining to the deployment of federal law enforcement in response to protests for racial justice across the country, in addition to policies that governed federal authorities’ treatment of these protesters. On February 24, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 193 pages of records to the plaintiff.



## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
February 24, 2022 – March 2, 2022  
DHS Privacy Office  
March 7, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On February 24, 2022, **Zach Stieber**, a representative of *The Epoch Times* in Houston Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications from Alejandro Mayorkas mentioning "border" or "agents" from January 1, 2022, to February 1, 2022. (Case Number 2022-HQFO-00647)
- On February 25, 2022, **Jim Bronskill**, a representative of *The Canadian Press* in Ottawa, Ontario, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to trucker convoy blockades at the Canada-U.S. border crossings, including the Ambassador Bridge between Windsor, Ontario, and Detroit, Michigan. (Case Number 2022-HQFO-00649)
- On February 25, 2022, **Brett Fussner**, a representative of **U.S. Customs and Border Protection** in Sterling, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to the comparison of COVID-19 vaccinated employees to COVID-19 unvaccinated employees concerning positive cases and sick time used from November 9, 2021, to February 25, 2022. (Case Number CBP-2022-047866)
- On February 25, 2022, **Anthony Enriquez**, a representative of **RFK Human Rights** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the government's internal investigation of the Department of Homeland Security (DHS) policy, practices, and decision-making related to egregious violations of Black migrants' civil and human rights occurring in September 2021. (Case Number CBP-2022-047980)
- On February 28, 2022, **Adam Turner**, a representative of **CASA** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the aggregate numbers regarding COVID-19 and migrants apprehended at the Southern border. Additionally, all records sent to, from, or including DHS officials and any member of the media or member of Congress. (Case Number CBP-2022-048216)
- On March 1, 2022, **Tim Shelley**, a representative of **WCBU 89.9 FM Public Radio** in Peoria, Illinois, requested from the United States Coast Guard (USCG) records pertaining to the Certificate of Documentation issued by the U.S. Coast Guard on October 27, 2021, for the SPIRIT OF PEORIA (Primary Vessel #: 930520). (Case Number USCG 2022-CGFO-01053)

- On March 2, 2022, **Caleb Brennan**, a private individual in Houston, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications exchanged between DHS and the Northrop Grumman Corporation concerning proprietary knowledge, personal data, and privacy. More specifically, it concerns the development of the Homeland Advanced Recognition Technology (HART) database from January 1, 2017, to January 1, 2021. (Case Number 2022-HQFO-00677)
- On March 2, 2022, **John Hopkins**, a private individual in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications from Andrea Flores related to the Migrant Protection Protocols program, otherwise known as “Remain in Mexico,” from January 20, 2021, to December 31, 2021. (Case Number 2022-HQFO-00668)
- On March 2, 2022, **Katelin Myers**, a representative of **American Voters Alliance** in Glen Arm, Maryland, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Pennsylvania’s legislative review of Fulton County’s voting machines in 2020 made between the Cybersecurity and Infrastructure Security (CISA) and any recipient or sender, from November 2020 through February 2021. (Case Number 2022-NPFO-00084)
- On March 2, 2022, **Katelin Myers**, a representative of **American Voters Alliance** in Glen Arm, Maryland, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications made between CISA and Susan Rice, the Center for Tech and Civic Life, the Democracy Fund, U.S. Digital Response, and U.S. Digital Services, from January 2021 through February 2021. (Case Number 2022-NPFO-00085)

**Late Requests:**

- On February 16, 2022, **Alec S. Ferretti**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of Alex Trebek. (Case Number COW 2022-000913)

**III. Freedom of Information Act Releases**

- On February 28, 2022, the Transportation Security Administration (TSA) released to **Moss Cohen**, a representative with *CNN News* in New York, New York, one video pertaining to Officer Cecilia Morales saving an infant on December 23, 2021, at Newark Liberty Airport. This video was released in full. (Case Number TSA 2022-TSFO-00213)
- On March 2, 2022, the United States Coast Guard (USCG) released to **Patrick Muniz** a representative of **Out West Digital LLC** in Los Angeles, California, a no records letter related to emergency calls, papers, and video regarding an individual who drowned off the coast of Molokai, Hawaii on January 2, 1997. (Case Number USCG 2022-CGFO-00108)

**IV. Freedom of Information Act Appeals**

- Nothing significant to report.

## V. Freedom of Information Act Appeals Releases

- Nothing significant to report.

## VI. Litigation

- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS) (21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to the last-in, first-out (LIFO) system. Additionally, records pertaining to RR's prepared, received, transmitted, collected, or maintained by USCIS dated on or after January 1, 2017. On February 24, 2022, U.S. Citizenship and Immigration Services (USCIS) released 145 pages to the plaintiff.
- In the matter of *Open Society Justice Initiative v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-00706)*, plaintiff filed a FOIA request on January 28, 2021, seeking records pertaining to the implementation of denaturalization efforts in the United States, including the impact on derivative children and spouses, the removal of denaturalized citizens and the identification, impact, and consideration of those considered stateless. On February 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 207 pages of records to the plaintiff.
- In the matter of *Emily Ryo v. U.S. Department of Homeland Security (DHS) (20-cv-01166)*, plaintiff filed a FOIA request on October 11, 2017, seeking records pertaining to people arrested/apprehended, booked, or detained during immigration and criminal law enforcement investigations and operations conducted by ICE and CBP from October 1, 2012, through the present. On February 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 9 excel spreadsheets to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, seeking records pertaining to the involvement of the city and county law enforcement in the detention and deportation of immigrants. On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 339 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE)(20-cv-01188)*, plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 87 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)(20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) regarding the death of Anthony Jones. On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 60 pages of records to the plaintiff.

- In the matter of *Citizens for Responsibility and Ethics in Washington (CREW) v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02553)*, plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to the June 2, 2020 decision to deploy federal agents to Portland, Oregon, and Chicago, Illinois. On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 54 pages of records to the plaintiff.
- In the matter of *Los Angeles Times Communications LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE's OPR (Office of Professional Responsibility) Investigation Closing Reports related to sexual misconduct at dedicated ERO (Enforcement and Removal Operations) facilities. On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 2,362 pages of records to the plaintiff.
- In the matter of *Project South v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-00960)*, plaintiff filed a FOIA request on April 07, 2021, seeking records pertaining to detainers issued by ICE to Alabama, Arkansas, Louisiana, Mississippi, and Tennessee state or local law enforcement entities on or after February 3, 2015, through the present. On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3 excels records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection (CBP) (21-cv-01642)*, plaintiff filed a FOIA request on June 6, 2021, seeking records pertaining to ICE Law Enforcement Systems and Analysis (LESA) Division presentations on ICE databases and a list of all ICE databases. On February 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 504 pages of records to the plaintiff.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement (ICE) (21-cv-03462)*, plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to documents that describe ICE's policies and procedures related to immigrants abused and neglected in ICE detention centers in the American southeast. On February 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 219 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to talking points prepared for Secretary Nielsen regarding the Migrant Protection Protocols (MPP). On February 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 43 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE)(18-cv-01531)*, the plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the U.S.-Mexico border. On February 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 52 pages of records to the plaintiff.

- In the matter of *Jason Leopold and BuzzFeed Inc. v. U.S. Department of Homeland Security (DHS)(19-cv-03028) (2020-HQLI-00004)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to 27 individuals who died while in the custody of U.S. Immigration and Customs Enforcement (ICE). On February 28, 2022, the Department of Homeland Security (DHS) Privacy Office released 19 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (20-cv-01367) (2020-HQLI-00030)*, plaintiff filed a FOIA request on March 20, 2022, seeking records pertaining to the U.S. Immigration and Customs Enforcement's (ICE) response to COVID-19. On February 28, 2022, the Department of Homeland Security (DHS) Privacy Office released 459 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS) (18-cv-01531) (2018-HQLI-00036)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the United States - Mexico border. On February 28, 2022, the Department of Homeland Security (DHS) Privacy Office released 488 pages of records to the plaintiff.
- In the matter of *Documented v. U.S. Department of Homeland Security (DHS) (21-cv-03142) (2022-HQLI-00013)*, plaintiff filed a FOIA request on January 11, 2021, seeking records pertaining to the Secretary's Decision Papers issued or published on or after January 1, 2017, through the present. On February 28, 2022, the Department of Homeland Security (DHS) Privacy Office released 75 pages of records to the plaintiff.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS) (20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On February 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released 343 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. U.S. Department of Homeland Security (DHS) (20-cv-02348)*, plaintiff filed a FOIA request on September 25, 2019, seeking records pertaining to the special training for Iraqi and Syria cases given to Asylum Officers from January 1, 2018, through the present. On February 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released 372 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly & Associates v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-01925)*, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act (AWA). On February 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released 496 pages of records to the plaintiff.

- In the matter of *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01066)*, plaintiff filed a FOIA request on December 19, 2019, seeking records pertaining to the creation, implementation, or oversight of Population Management, Alternatives to Detention (ATD), and other supervision programs. On March 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 251 pages and 1 excel spreadsheet of records to the plaintiff.
- In the matter of *Knight First Amendment Institute at Columbia University v. Department of Homeland Security (DHS) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to new vetting policies, and the government's understanding of its authority to base immigration decisions on individuals' speech, beliefs, or associations. On March 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 476 pages of records to the plaintiff.
- In the matter of *Southern Poverty Law Center v. U.S. Department of Homeland Security (DHS) (18-cv-01725)*, plaintiff filed a FOIA request on January 23, 2018, seeking records pertaining to basic ordering agreements between ICE and local authorities or law enforcement agencies. On March 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 18 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Massachusetts v. U.S. Department of Homeland Security (DHS) (19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, seeking records pertaining to the profiling of individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On March 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,176 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Advocacy Project; The University of Maine v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-00066)*, plaintiff filed a FOIA request on March 3, 2021, seeking records pertaining to the approving transfers of ICE detainees to or from ICE Detention Facilities in Maine, including, but not limited to, approval or clearance for transfers as required by ICE's COVID-19 Pandemic Response Requirements. On March 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 8 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03280) (2022-HQLI-00016)*, plaintiff filed a FOIA request on November 1, 2021, seeking records pertaining to communications between (a) the agency officials specified in Column A and the (b) external entities listed in Column B, including the provided email addresses or domains. On March 2, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 22 pages of records to the plaintiff.
- In the matter of *Brennan Center for Justice at The New York University School of Law v. U.S. Department of Homeland Security (DHS) (20-cv-00427) (2020-HQLI-00014)*, plaintiff filed a FOIA request on November 5, 2018, seeking records pertaining to records named and described in a Request for Records Disposition Authority submitted by ICE to the National Archives and Records Administration

(NARA) in January 2017. On March 2, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 310 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells



**Freedom of Information Act (FOIA) Activity for the Week of  
March 10, 2022 – March 16, 2022  
DHS Privacy Office  
March 21, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On On March 10, 2022, **Mr. David Bier**, a representative with *The CATO Institute* in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) records showing each apprehension or encounter by Border Patrol during each fiscal year for FY 2000 to FY 2023 broken down by date and time of apprehension, final book-out date and time, disposition, border, sector, citizenship, number of previous apprehensions, demographic, age, country of birth, status at entry, gender, transfer destination, etc. (Case Number CBP-2022-052716)
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- On March 10, 2022, **Mr. David Bier**, a representative with *The CATO Institute* in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) records or documents showing for each person found inadmissible by Office of Field Operations during each fiscal year for FY 2000 to FY 2023: date and time of inadmissibility, final book-out date and time, disposition, border, sector, citizenship, number of previous apprehensions, age, gender, country of birth, previous convictions, status at entry, etc. (Case Number CBP-2022-052720)
- On March 10, 2022, **Jason Leopold**, a senior investigative reporter with *BuzzFeed News* in Los Angeles, CA, requested from the United States Secret Service (USSS) all reports, such as incident and after action reports, memorandums, letters, emails, text messages, threat assessments, intelligence bulletins, mentioning or referring to the March 5, 2022 emergency landing involving former President Donald Trump's airplane following his speech at a Republican National Committee-hosted donor retreat in New Orleans. (Case Number USSS 20220283)
- • On March 10, 2022, Kevin Schmidt, a representative with Americans for Prosperity Foundation (AFP) in Arlington, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) all records reflecting the results of the Known Employer Pilot from January 1, 2015, through the present. (Case Number USCIS COW2022001312)
- • On March 10, 2022, **Mr. Eric Scigliano**, a journalist with *NWLink* in Seattle, Washington, requested from the United States Coast Guard (USCG) a copy of “Sector Puget Sound Natural Disaster Plan”. (Case Number USCG 2022-CGFO-01130)
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- On March 14, 2022, **Mr. Ben Lefebvre**, a reporter with **Politico Pro**, requested from the United States Coast Guard (USCG) a copy of any incident reports transmitted to the NRC between March 3, 2022, and March 10, 2022, pertaining to a leak of natural gas originating from the ConocoPhillips Alpine/ Colville site in Alaska. (Case Number USCG **2022-CGFO-01133**)
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- On March 14, 2022, **Jason Leopold**, a senior investigative reporter with **BuzzFeed News** in Los Angeles, CA, requested the following information from the United States Secret Service (USSS): all emails, letters, memos, text messages, reports sent and received between Secret Service officials and officials representing former President Donald Trump and officials at the National Archives, Justice Department, FBI relating or referring to Presidential records stored at Mar-a-Lago, discussions about the retrieval of those records, the Presidential Records Act and the ongoing search for Presidential records; any and all letters, memos, reports, Secret Service officials have exchanged with other federal government agencies and congressional committees relating or referring to presidential records stored at Mar-a-Lago; and all emails, memos, reports, text messages, letters, criminal referrals, sent and received by Secret Service and FBI, CIA, Defense Intelligence Agency, National Security Agency, State Department, Department of Defense, and the Inspector General of the Intelligence Community, relating or referring to the presence of classified information contained in all presidential records retrieved from Mar-a-Lago. (Case Number USSS 20220306)
- On March 15, 2022, **Mr. Bryce Gray**, a reporter with **St. Louis Post-Dispatch** in St. Louis, Missouri, requested from the United States Coast Guard (USCG) copies of NRC records related to a recent pipeline break and crude oil spill near Edwardsville, Illinois. (Case Number USCG **2022-CGFO-01147**)

**Late Requests:**

- On On January 27, 2022, **Mr. Kevin Knodell**, a reporter with **Honolulu Star-Advertiser** in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) a copy of any written reports, summaries, photos, videos, radio communication related to the Coast Guards interceptions of foreign fishing vessels inside the Exclusive Zones of Guam and Hawaii during the year of 2020. (Case Number USCG **2022-CGFO-01145**)
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**III. Freedom of Information Act Releases**

- On March 15, 2022, U.S. Customs and Border Protection (CBP) issued to **Marybel Gonzalez**, a journalist with **KGBT** in Harlingen, Texas, a no records determination in response to her request seeking the number of local law enforcements agencies that assisted with outbound enforcement actions under Operation Stonegarden. (Case number CBP-2019-078824)
- On March 16, 2022, FEMA released to **Nicole Tripodi**, a representative of **FEDinform LLC** in Burke, Virginia, 54 pages pertaining to solicitation documents for the contract numbered 70FB8021F000000. The records were released in full.
- On March 16, 2022, the U.S. Citizenship and Immigration Services (USCIS) will release to **Alexandra Zaretsky**, a representative with **International Refugee Assistance Project**, in New York, New York, 548 pages of records and eight media

files consisting of USCIS FOIA processing manuals, policies and training materials. Portions of the release are withheld pursuant to FOIA Exemptions 2, 4, 5, 6, 7(C), and 7(E). (Case Number USCIS COW2021003265)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of Harvard Immigration and Refugee Clinical Program v. DHS et al., (1:21-cv-10486-JGD), plaintiff filed a FOIA request on March 22, 2021, requesting records related to the implementation of the Nationwide Policy and National Qualified Representative Program (“NQRP”) by the U.S. Department of Homeland Security (“DHS”), the U.S. Immigration and Customs Enforcement (“ICE”), and the U.S. Customs and Border Protection (“CBP”) to provide enhanced procedural protections to certain unrepresented and detained individuals in removal proceedings with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 53 pages of records.
- In the matter of Transgender Law Center v ICE 1:21-cv-02153-RCL, the plaintiff filed a FOIA request on April 19, 2021, requesting records related any policies, procedures, guidelines, instructions, quotas or other materials concerning detention of a transgender or intersex person in existence on or after January 1, 2015; any policies, procedures, guidelines, instructions, quotas or other materials concerning detention of transgender or intersex person during the COVID-19 pandemic from January 1, 2020 to present; and any training manuals, guides, memoranda, and other documents used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention in existence on or after January 1, 2015. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 547 pages of records.
- In the matter of Adrian Palacios-Benitez v. USCIS et. al (2:21-cv-1155-RMG), the plaintiff filed a FOIA request on August 09, 2021, requesting copies of Alien Registration File for Adrian Palacios Benitez; (b)(6) All emails and copies of any and all email attachments to, from, or copying Charleston Field Office Immigration Services Officer (b)(6),(b)(7)(C) from July 22, 2019 to present containing any of the following key words and related to Adrian Palacios-Benitez: “Adrian Palacios-Benitez,” “Palacios-Benitez,” “Bantias,” “Scarlett,” “Grose,” “manley,” “brown,” “NTA,” “removal,” “restraining order,” “new hanover,” “beth,” “drake,” “warrant,” and “crime”

including all “TFiles”. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 47 pages of records.

- In the matter of American Friends Service Committee v. ICE, et. al Case 21-cv-2774, plaintiff filed a FOIA request on October 19, 2021, requesting records relating to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention there. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 602 pages of records.
- • In the matter of Black Alliance v. ICE 21-CV-62, the plaintiff filed a FOIA request on November 10, 2021, requesting records about ICE’s use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 57 pages of records.
- • In the matter of Clergy and Laity United for Economic Justice et al., v. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) (2:21-cv-01214), the plaintiff filed a FOIA request on August 4, 2020, seeking documents dated on or after January 1, 2019, involving in whole or in part instructions regarding the conduct of or decisions in credible fear of persecution or torture interviews and all training material shared with officers conducting credible fear interviews dated on or after January 1, 2019. On March 10, 2022, USCIS will release to the plaintiff 2,324 pages of records. Karl\_COW2021002232\_attach complaint
- In the matter of American Oversight v. U.S. Department of Homeland Security (DHS) 20-cv-02195
- • In the matter of Immigrant Advocates Response Collaborative v U.S DHS, et al Case 1:21-cv-12, the plaintiff filed a FOIA request on October 5, 2020, seeking all documents, regulations and guidelines relating to the management of the CHIP, CHIS and BITMAP Program. On March 11, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 36 pages of records.
- In the matter of the ***State of Florida v. Department of Homeland Security (DHS) et.al. (21-14462-Civ)***, plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to the impacts of DHS’s September 30, 2021, immigration enforcement guidance. Plaintiff filed suit on September 12, 2021, claiming injunctive relief. On March 11, 2022, U.S. Customs and Border Protection (CBP) issued its first interim response consisting of eight pages of emails and associated attachments pertaining to CBP’s detention capacity.
- • In the matter of Immigrant Investors Association, INC., dba Invest in The USA (“IIUSA”) v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (1:20-cv-02850), plaintiff filed a FOIA request on September 3, 2019, seeking records consisting of copies of all form

I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2018. On March 12, 2022, USCIS released to the plaintiff 535 pages of records.

- In the matter of American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al., (1:19-cv-12564), the plaintiff filed a FOIA request on December 23, 2019, requesting records relating to profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 656 pages of records.
- • In the matter of Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM) the plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE's use of Clearview AI technology and ICE use of facial recognition software. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 57 pages of records.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al.*, (21-cv-02328), plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On March 15, 2022, USCIS released to the plaintiff 1,000 pages of records.
- • In the matter of RDN and TLC v. ICE; (21-cv-06788-PG), the plaintiff filed FOIA requests on August 6, 2018, pertaining to records arising from two FOIA requests filed with ICE on April 19, 2021, that sought records regarding transgender detainee segregation and PREA repo. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 360 pages of records

In the matter of American First Legal Foundation v. DHS, et. al 21-cv-2168, the plaintiff filed a FOIA request on April 13, 2021, seeking all "written reports" referred to in the subsection titled "Weekly Reporting of All Enforcement And Removal Actions" on page 7 of a memorandum from Tae D. Johnson to "All ICE Employees" with a subject line of "Interim Guidance: Civil Immigration Enforcement and Removal Priorities" (Feb. 18, 2021) (the "Interim Guidance"), whether the reports be termed "Reports", "Summaries", "Rollups", or otherwise. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 128 pages and 85 excels of records.

• In the matter of the IDP v ICE (ICE) et al., (1:19-cv-02520), the plaintiff filed a FOIA request on December 20, 2017, requesting records to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents that occur within, on the property of, or within two city blocks of New York State courthouses (hereinafter "courthouse arrests"). Specifically, the Clinic and IDP request any and all records I prepared, received, transmitted, collected, and/or maintained by United States the Immigration and Customs Enforcement ("ICE") New York and Buffalo field offices.

On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 467 pages of records.

- In the matter of American Civil Liberties Union of Northern California v. ICE and DHS 21-cv-02632-DMR, the plaintiff filed a FOIA request on April 17, 2021, requesting the purchase order or contract entered into between ICE and Clearview AI under Contract Award ID 70CMSD20P00000130 (the “Contract”), along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 177 pages of records.

- In the matter of OCAD, IDP, and CCR v. ICE 21-cv-02519, the plaintiff filed a FOIA request on June 29, 2020, seeks how and why ICE has decided to expend resources to establish “Citizens Academies”. On March 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 372 pages of records.

- In the matter of First Look Institute, Inc. v. ICE 21-cv-07052, the plaintiff filed a FOIA request on January 14, 2020, seeking all video and audio recordings in connection with the force-feeding of former detainee Ajay Kumar at the El Paso Service Processing Center, which you further narrowed by email to ICE FOIA dated February 12, 2020, to video and audio recordings that took place between August 14, 2019, and September 5, 2019. On March 16, 2022 U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 16 minutes, 19 seconds video/Audio Clip.

- In the matter of Jesus Vidal-Martinez v. U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security Case No. 1:21-cv-06177, the plaintiff filed a FOIA request on December 29, 2020, pertaining to any and all email communications and other notes or reports sent between ICE and Decatur County Sheriff (Indiana) and between ICE and the US Department of Justice \*and ICE internal Communications\*\* related to Jesus Vidal-Martinez (b)(6) On March 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 164 pages of records.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
March 10, 2022 – March 16, 2022  
DHS Privacy Office  
March 21, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On March 10, 2022, **David Bier**, a representative of the **CATO Institute** in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to apprehensions or encounters by Border Patrol from Fiscal Year (FY) 2000 to 2022. (Case Number CBP-2022-052716)
- On March 10, 2022, **David Bier**, a representative of the **CATO Institute** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to individuals found inadmissible by the Office of Field Operations from Fiscal Year (FY) 2000 to 2022. (Case Number CBP-2022-052720)
- On March 10, 2022, **Jason Leopold**, a representative of **BuzzFeed News** in Los Angeles, California, requested from the United States Secret Service (USSS) records pertaining to the March 5, 2022 emergency landing involving former President Donald Trump's airplane following his speech at a Republican National Committee-hosted donor retreat in New Orleans. (Case Number USSS 20220283)
- On March 10, 2022, **Michael Smith**, a representative of **Bloomberg News** in Miami, Florida, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the email history of CDC's former Chief of Staff, Kyle McGowan regarding the Federal Register notice of the no-sail order and its revisions. (Case Number 2022-HQFO-00716)
- On March 10, 2022, **Kevin Schmidt**, a representative of **Americans for Prosperity Foundation** in Arlington, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Known Employer Pilot Program from January 1, 2015, through the present. (Case Number COW 2022-001312)
- On March 10, 2022, **Eric Scigliano**, a representative of **NWLink** in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to the "Sector Puget Sound Natural Disaster Plan". (Case Number 2022-CGFO-01130)
- On March 11, 2022, **Julianna Brudek**, a representative of **ABC Network** in Palm Desert, California, requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to the investigative files of Aubrey Lee Price from January 1, 2010, to December 31, 2013. (Case Number 2022-NPFO-00093)
- On March 14, 2022, **Ben Lefebvre**, a representative of **Politico Pro**, requested from the United States Coast Guard (USCG) records pertaining to incident reports transmitted to the



Nuclear Regulatory Commission (NRC) pertaining to a leak of natural gas originating from the ConocoPhillips Alpine/ Colville site in Alaska between March 3, 2022, and March 10, 2022. (Case Number 2022-CGFO-01133)

- On March 14, 2022, **Jason Leopold**, a representative of *BuzzFeed News* in Los Angeles, California, requested from the United States Secret Service (USSS) records pertaining to the Presidential records stored at Mar-a-Lago, discussions about the retrieval of those records, the Presidential Records Act and the ongoing search for Presidential records. (Case Number USSS 20220306)
- On March 15, 2022, **Julianna Brudek**, a representative of *ABC Network* in Palm Desert, California, requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to the investigative files of Kay Jenkins from January 1, 2013, to January 1, 2015. (Case Number 2022-NPFO-00094)
- On March 15, 2022, **Julianna Brudek**, a representative of *ABC Network* in Palm Desert, California, requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to the investigative files of Sandy Jenkins from January 1, 2013, to January 1, 2016. (Case Number 2022-NPFO-00095)
- On March 15, 2022, **Bryce Gray**, a representative of *St. Louis Post-Dispatch* in St. Louis, Missouri, requested from the United States Coast Guard (USCG) records pertaining to a recent pipeline break and crude oil spill near Edwardsville, Illinois. (Case Number 2022-CGFO-01147)

#### Late Requests:

- On January 27, 2022, **Kevin Knodell**, a representative of *Honolulu Star-Advertiser* in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to the Coast Guards interceptions of foreign fishing vessels inside the Exclusive Zones of Guam and Hawaii during the year of 2020. (Case Number 2022-CGFO-01145)

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

- On March 15, 2022, U.S. Customs and Border Protection (CBP) released to **Marybel Gonzalez**, a representative of *KGBT* in Harlingen, Texas, a no records determination in response to her request for records pertaining to the number of local law enforcement agencies that assisted with outbound enforcement actions under Operation Stonegarden. (Case number CBP-2019-078824)
- On March 16, 2022, The Federal Emergency Management Agency (FEMA) released to **Nicole Tripodi**, a representative of **FEDinform LLC** in Burke, Virginia, 54 pages of records pertaining to solicitation documents for the contract numbered 70FB8021F000000. The records were released in full. (Case Number 2022-FEFO-00295)
- On March 16, 2022, the U.S. Citizenship and Immigration Services (USCIS) released to **Alexandra Zaretsky**, a representative of the **International Refugee Assistance Project**, in New York, New York, 548 pages of records and eight media files

consisting of USCIS FOIA processing manuals, policies and training materials. Portions of the release are withheld pursuant to FOIA Exemptions 2, 4, 5, 6, 7(C), and 7(E). (Case Number COW 2021-003265)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Department of Homeland Security (DHS) (21-cv-10486)*, plaintiff filed a FOIA request on March 22, 2021, seeking records pertaining to the implementation of the Nationwide Policy and National Qualified Representative Program (NQRP) by the U.S. Department of Homeland Security (DHS), the U.S. Immigration and Customs Enforcement (ICE), and the U.S. Customs and Border Protection (CBP) to provide enhanced procedural protections to certain unrepresented and detained individuals in removal proceedings with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 53 pages of records to the plaintiff.
- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to the detention of transgender or intersex individuals on or after January 1, 2015; and training materials used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex individuals. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 547 pages of records to the plaintiff.
- In the matter of *Adrian Palacios-Benitez v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-1155)*, the plaintiff filed a FOIA request on August 9, 2021, seeking records pertaining to the Alien Registration File for Adrian Palacios Benitez and emails to, from, or copying Charleston Field Office Immigration Services Officer Laura Haynie from July 22, 2019, through the present. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 47 pages of records to the plaintiff.
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-2774)* plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead Detention Center, including plans for migrant detention. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 602 pages of records to the plaintiff.

- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06239)*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On March 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 57 pages of records to the plaintiff.
- In the matter of *Clergy and Laity United for Economic Justice v. U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) (21-cv-01214)*, plaintiff filed a FOIA request on August 4, 2020, seeking records pertaining to the conduct of credible fear of persecution or torture interviews and all training materials shared with officers conducting credible fear interviews dated on or after January 1, 2019. On March 10, 2022, U.S. Citizenship and Immigration Services (USCIS) released 2,324 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (20-cv-02195) (2021-HQLI-00010)*, plaintiff filed a FOIA request on April 29, 2020 seeking records pertaining to instances in which federal officials redirected supplies intended for coronavirus response from several healthcare locations. On March 11, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 236 pages of records to the plaintiff.
- In the matter of *Immigrant Advocates Response Collaborative v. U.S. Department of Homeland Security (DHS) (21-cv-01235)*, plaintiff filed a FOIA request on October 5, 2020, seeking records pertaining to the management of the Criminal History Information (CHIP) Program, Criminal History Information Sharing (CHIS) Program and Biometric Identification Transnational Migration Alert (BITMAP) Program. On March 11, 2022, U.S. Immigration and Customs Enforcement (ICE) released 36 pages of records to the plaintiff.
- In the matter of the *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462)*, plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to the impacts of DHS's September 30, 2021 immigration enforcement guidance. Plaintiff filed suit on September 12, 2021, claiming injunctive relief. On March 11, 2022, U.S. Customs and Border Protection (CBP) released 8 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, INC., dba Invest in The USA (IIUSA) v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (20-cv-02850)*, plaintiff filed a FOIA request on September 3, 2019, seeking records pertaining to form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2018. On March 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 535 pages of records to the plaintiff.
- In the matter of *Phillips v. U.S. Department of Homeland Security (DHS)(19-cv-1971) (2019-HQLI-00027)*, plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and any reports that

discuss the threat of domestic terrorism. On March 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 11 pages of records to the plaintiff.

- In the matter of *Buzzfeed/Leopold Inc. v. U.S. Department of Homeland Security (DHS) (18-cv-01957) (2018-HQFO-01033)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to emails sent or received by the Secretary of Homeland Kirstjen Nielsen related to immigration. On March 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 161 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)(19-cv-00774) (2018-HQFO-01431)*, plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to the communication history of Stephen Miller. On March 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 338 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Massachusetts v. U.S. Department of Homeland Security (DHS) (19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, seeking records pertaining to the profiling of individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 656 pages of records to the plaintiff.
- In the matter of *Electronic Privacy Information Center v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-03071)* plaintiff filed a FOIA request on October 26, 2020, seeking records pertaining to ICE's use of Clearview AI technology and ICE use of facial recognition software. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 57 pages of records to the plaintiff.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On March 15, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,000 pages of records to the plaintiff.
- In the matter of *Rapid Defense Network and Transgender Law Center v. Immigration and Customs Enforcement (ICE) (21-cv-06788)*, plaintiff filed FOIA requests on August 6, 2018, seeking records pertaining to two FOIA requests filed with ICE on April 19, 2021, that sought records regarding transgender detainee segregation and PREA repo. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 360 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-2168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to reports referred to in the subsection titled "Weekly Reporting of All Enforcement and Removal Actions". On March 15, 2022, U.S.

Immigration and Customs Enforcement (ICE) released 128 pages of records and 85 excel sheets to the plaintiff.

- In the matter of *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, seeking records pertaining to the civil immigration arrests by ICE agents that occur within, on the property of, or within two city blocks of New York State courthouses. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 467 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) and U.S. Department of Homeland Security (DHS) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered between ICE and Clearview AI under Contract Award ID 70CMSD20P00000130. On March 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 177 pages of records to the plaintiff.
- In the matter of *Organized Communities Against Deportations, Immigrant Defense Project, and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE's decision to expend resources to establish the Citizens Academy Program. On March 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 372 pages of records to the plaintiff.
- In the matter of *First Look Institute, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-07052)*, plaintiff filed a FOIA request on January 14, 2020, seeking records pertaining to the force-feeding of former detainee Ajay Kumar at the El Paso Service Processing Center. On March 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released a 16 minute and 19 seconds video clip to the plaintiff.
- In the matter of *Jesus Vidal-Martinez v. U.S. Immigration and Customs Enforcement (ICE), U.S. Department of Homeland Security (DHS) (21-cv-06177)*, plaintiff filed a FOIA request on December 29, 2020, seeking records pertaining to email communications sent between ICE, the Decatur County Sheriff and the U.S. Department of Justice (DOJ) related to Jesus Vidal-Martinez. On March 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 164 pages of records to the plaintiff.
- In the matter of *Tempey v. U.S. Department of Homeland Security (DHS) (20-cv-02512) (2021-HQLI-00004)* plaintiff filed a FOIA request on August 9, 2018, seeking records pertaining to the DHS press release dated February 15, 2018, headlined "We Must Secure the Border and Build the Wall To Make America Safe Again". On March 17, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 236 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-3280) (2022-HQLI-00016)*, plaintiff filed a FOIA request on November 1, 2021, seeking records pertaining to email and text communications

between agency officials and external entities. On March 17, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 22 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
March 17, 2022 – March 23, 2022  
DHS Privacy Office  
March 28, 2022  
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:
- Nothing significant to report.
- II. Freedom of Information Act Requests**
- On March 16, 2022, **Evan Kanz**, a representative of **Hinkhouse Williams Walsh, LLP** in Chicago, Illinois, requested from the United States Coast Guard (USCG) records pertaining to the environmental contamination related to the site of Federal Project/Bill Number E17514-001-18, arising out of the train derailment that occurred on the Canadian National Railway on June 30, 2017. (Case Number 2022-CGFO-01151)
  - On March 17, 2022, **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications between individuals at USCIS HQ Office of Legislative Affairs (HQ OLA) and the United States Senate or the United States House of Representatives from October 1, 2021, through October 31, 2021. (Case Number COW 2022-001439)
  - On March 17, 2022, **Scott MacFarlane**, a representative of **Cox TV** in Gaithersburg, Maryland, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails sent or received between the agency’s White House liaison employee(s) and anyone with an email address ending in @who.eop.gov from January 1, 2021, to February 2, 2021. (Case Number 2022-HQFO-00782)
  - On March 17, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between the Office for Civil Rights and Civil Liberties, the Privacy Office, the I&A Intelligence Oversight Officer and the Office of the General Counsel - Intelligence Law Division related to intelligence products that reference truck(s), trucker(s), truck driver(s), trucker convoy, people’s convoy and/or freedom convoy.(Case Number 2022-HQFO-00742)
  - On March 17, 2022, **Aaron Schaffer**, a representative of **The Washington Post** in Washington D.C., requested from the Cybersecurity and Infrastructure Security Agency (CISA) for records pertaining to calendar entries for Jen Easterly from July 13, 2021, to July 31, 2021. (Case Number 2022-NPFO-00097)



- On March 18, 2022, **Rachel Waldman- Levinson**, a representative of the **Brennan Center for Justice** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications, training materials, and agreement for services and research support relating to the Night Fury project. (Case Number 2022-HQFO-00755)
- On March 18, 2022, **Katherine Anthony**, a representative of **American Oversight** in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to the Department of Defense (DOD) ordered Stand-Down to Address Extremism in the Military Ranks. (Case Number 2022-CGFO-01181)
- On March 18, 2022, **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to statistics for “got-aways”, “sign cutting” and “turnback’s” between February 2021 through the present. (Case Number CBP-2022-055545)
- On March 21, 2022, **Harsha Panduranga**, a representative of the **Brennan Center for Justice at NYU School of Law** in New York, New York requested from the Office of Inspector General (OIG) records pertaining to the summer of 2020 racial protests in Portland Oregon and the OIG report that discusses the Office of Intelligence and Analysis (I&A) failure to warn of the events of January 6, 2021. (Case Number 2022-IGFO-00132)
- On March 22, 2022, **Ed Slavin**, a representative of **Clean Up City** in St. Augustine Florida, requested from the United States Coast Guard (USCG) records pertaining to the March 10, 2022 diesel oil fuel spill at Commachee Cove Yacht Harbor, St Augustine, Florida. (Case Number 2022-CGFO-01195)
- On March 23, 2022, **Marilyn Heiken**, a representative of **Johnson Johnson Lucas & Middleton** in Eugene, Oregon, requested from the United States Coast Guard (USCG) records pertaining to injuries sustained by an individual on a boat owned by Hellgate Excursions. (Case Number 2022-CGFO-01220)
- On March 23, 2022, **Dina Maron**, a representative of **National Geographic** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications related to SARS-CoV-2 test results in minks and further comparison of the virus circulating in minks. (Case Number 2022-HQFO-00771)
- On March 23, 2022, **Adam Shaw**, a representative of **Fox News** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between Secretary Alejandro Mayorkas, Deputy Secretary John Tien, and Chief of Staff Kristie Canegallo, that include the terms "whipping", "whipped", "whip" and "strapped" from September 19, 2021, to November 19, 2022. (Case Number 2022-HQFO-00774)

**Late Requests:**

- On February 21, 2022, **Thomas Volscho**, a representative of **ABC News** in West Orange, New Jersey, requested from U.S. Customs and Border Protection (CBP)

records pertaining to the travel history of deceased individual Jean Luc Brunel, a former associate of Jeffrey Epstein. (Case Number CBP-2022-045768)

### III. Freedom of Information Act Releases

- On March 17, 2022, U.S. Customs and Border Protection (CBP) released to **David Donatti**, a representative of the **American Civil Liberties Union of Texas and the ACLU Border Rights Center (ACLU)** in Houston, Texas, 143 pages of records pertaining to the “We Build the Wall” group. Portions of this request were withheld under FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2020-041192)
- On March 17, 2022, U.S. Customs and Border Protection (CBP) released to **Bill Speir**, a representative of **Plasma Protein Therapeutics Association**, in Annapolis, Maryland, 46 pages of records pertaining to CBP’s directive to prohibit entry into the United States under the B1/B2 visa classification for plasma donation. Portions of these records were withheld under FOIA exemptions 4, 5, 6, 7(C), and 7(E). (Case number CBP-2021-106841)
- On March 18, 2022, the Transportation Security Administration (TSA) released to **Mike Canales**, a representative of **KTBC Fox 7** in Austin, Texas, two pages of records pertaining to the number of weapons and type of weapons obtained at TSA checkpoints at Austin -Bergstrom International Airport from January 1, 2020, to May 25, 2021. These records were released in full. (Case Number 2021-TSFO-00499)
- On March 21, 2022, U.S. Customs and Border Protection (CBP) released to **David Bier**, a representative of the **Cato Institute** in Washington, D.C. one “ZIP” file pertaining to the shapefile showing the coordinates of the border wall system depicted in the map at the cbp.gov border wall site. Portions of this release were withheld under FOIA exemption 7(E). (Case number CBP-2022-040650)
- On March 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Leslye Orloff**, a representative of **The National Immigrant Women’s Advocacy Project** in Washington, D.C., 10 pages of records pertaining to policies on the revision of stay of removal request reviews for U Visa petitioners. The documents were released in their entirety. (Case Number 2020-ICFO-00692)
- On March 23, 2022, U.S. Customs and Border Protection (CBP) released to **Elliot Tucker**, a representative of **In These Times** in Kingwood, Texas, 6 pages of records pertaining to emails from DHS Secretary Alejandro Mayorkas and Matthew Klein Asst. Commissioner of Internal Affairs includes the key terms “Haiti”, “horse”, “horseback”, and “whip”. Portions of this request were withheld under FOIA exemptions 5, 6, and 7(C). (Case number CBP-2022-022063)
- On March 23, 2022, the Transportation Security Administration (TSA) released to **Lucas Waldron**, a representative of **ProPublica** in New York, New York, 78 pages of records pertaining to communications that mention “Lucas Waldron” or are related to the processing or procurement of records for 2019-TSFO-00365 or 2019-TSFO-00362 from April 1, 2019, through the present. Portions of the release were withheld under FOIA Exemptions 5 and 6. (Case Number 2019-TSFO-00499)

- On March 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Scott Shuchart**, a representative of **Kids in Need of Defense** in Washington D.C., 51 pages of records pertaining to the Unaccompanied Alien Child Policies and Training from January 21, 2017, through the present. Portions of the release were withheld under FOIA Exemptions 5, 6, and 7(C). (Case Number 2020-ICFO-61546)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to the quarterly operational summary Safety Reports filed by contractors working with ICE Air Operations (IAO) from 2003 through the present and records related to alleged misconduct by IAO employees from 2003 through the present. On March 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 299 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) that identify each enforcement action taken in the prior week. On March 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 325 pages of records to the plaintiff.
- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) (19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to individuals who died while in ICE custody. On March 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 638 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye & NBC Universal Media v. U.S. Department of Homeland Security (DHS) (20-cv-00280)*, plaintiff filed a FOIA request on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On March 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 638 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. United States Department of Homeland Security (DHS) (20- cv-02371)*, plaintiff filed a FOIA request on May 17, 2020, seeking records pertaining to the training of asylum officers at the Bethpage, New York asylum office from January 1, 2020, through the present. On March 18, 2022, U.S. Citizenship and Immigration Services (USCIS) released 988 pages of records to the plaintiff.

- In the matter of *American Immigration Council v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-03266)*, plaintiff filed a FOIA request on December 21, 2019, seeking records and data pertaining to DHS' Migrant Protection Protocols (MPP) from December 2019 through the present. On March 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 166 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection (CBP) (21-cv-01642)*, plaintiff filed a FOIA request on June 21, 2021, seeking records pertaining to ICE's and CBP's databases to better understand how the agencies store enforcement data. On March 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 504 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. Chad E. Wolf and the United States Department of Homeland Security (DHS) (20- cv-02348)*, plaintiff filed a FOIA request on September 25, 2019, seeking records pertaining to the special training for Iraqi and Syria cases given to Asylum Officers from January 1, 2018, through the present. On March 21, 2022, U.S. Citizenship and Immigration Services (USCIS) released 347 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924A filed by EB-5 Regional Centers for the fiscal year 2017. On March 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 132 pages of records to the plaintiff.
- In the matter of *Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02208)* plaintiff filed a FOIA request on August 19, 2021, seeking records pertaining to DHS' contracts for use of identification products and technologies provided by data collection companies such as RELX, LexisNexis, Thomas Reuters. On March 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 475 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)*, plaintiff filed a FOIA request on October 14, 2021, seeking records pertaining to the communications between ICE officials and Cameroonian officials related to the removal of Cameroonians to Cameroon. On March 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 60 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
March 24, 2022 – March 30, 2022  
DHS Privacy Office  
April 4, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On March 23, 2022, **Marilyn Heiken**, a representative of **Johnson Johnson Lucas & Middleton, P.C.** in Eugene, Oregon, requested from the United States Coast Guard (USCG) records pertaining to a boating accident on July 20, 2018, involving an individual who suffered severe injuries. (Case Number 2022-CGFO-01220)
- On March 24, 2022, **Sarah Lynch**, a representative of **Reuters** in Washington D.C., requested from the Cyber Security and Infrastructure Security Agency (CISA) records pertaining to the total number of ransomware attacks that have been reported from February 24, 2022, through the present. (Case Number 2022-NPFO-00099)
- On March 25, 2022, **Maeve McGoran**, a representative of **National Public Radio** in Washington D.C., requested from the United States Coast Guard (USCG) records pertaining to criminal investigations conducted by the Coast Guard Investigative Service (CGIS) at 3 CGIS field offices. (Case Number 2022-CGFO-01235)
- On March 27, 2022, **Dustin Slaughter**, a private individual in Philadelphia, Pennsylvania, requested from the United States Coast Guard (USCG) records pertaining to the federal government’s interactions with unidentified objects and unidentified crafts. (Case Number 2022-CGFO-01239)
- On March 28, 2022, **Ed Slavin**, a representative of **Clean Up City of St. Augustine Blogspot**, in St. Augustine, Florida, requested from the United States Coast Guard (USCG) records pertaining to the investigation, cleanup, and remediation of gasoline and petroleum products spilled in the federal wetlands adjoining St. Augustine/Northeast Florida Airport as a result of a fatal plane crash. (Case Number 2022-CGFO-01246)
- On March 28, 2022, **Madison Iszler**, a representative of the **San Antonio Express-News** in San Antonio, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to forms filed by individuals investing in the Arts Residences at the Thompson Hotel through the EB-5 visa program. (Case Number COW 2022-001630)
- On March 28, 2022, **Gabe Keminsky**, a representative of **The Daily Wire** in Pittsburg, Pennsylvania, requested from the U.S. Department of Homeland Security (DHS)

Privacy Office records pertaining to the DHS funds used for security fencing to protect the homes of Kamala Harris' and Joe Bidens'. (Case Number 2022-HQFO-00811)

- On March 28, 2022, **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to correspondences sent and received by fusion centers, data centers, and joint terrorism task forces related to the Truckers Convoy. (Case Number 2022-HQFO-00819)
- On March 29, 2022, **Kevin Dugan**, a representative of *New York Magazine* in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to organizations associated with the Church of Scientology that has been approved, denied, or are pending a decision by USCIS for sponsoring R-1 worker visas. (Case Number COW 2022-001648)
- On March 29, 2022, **Meredith Wright**, a representative of **Critical Content LLC** in Burbank, California, requested from the United States Coast Guard (USCG) records pertaining to a distress call made by an individual via a boat's VHF radio phone on February 15, 2016. (Case Number 2022-CGFO-01264)
- On March 29, 2022, **Rebecca Ballhaus**, a representative of *The Wall Street Journal* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to conflicts, ethics waivers, authorizations, and recusal determinations made or issued for employees hired by DHS from January 2017 through the present. (Case Number 2022-HQFO-00821)
- On March 30, 2022, **Eric Geller** a representative of **Politico** in Arlington, Virginia, requested from the Cyber Security and Infrastructure Security Agency (CISA) records pertaining to a report that DHS submitted to the White House pursuant to Executive Order 13800, which mandated a report describing solutions for improving government support to high-risk critical infrastructure. (Case Number 2022-NPFO-00103)

#### **Late Requests:**

- On March 9, 2022, **Caleb Brennan**, a private individual in Minneapolis, Minnesota, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between the Director of the Office of Biometric Identity Management and representatives of the Northrop Grumman Corporation concerning personal data, privacy, and the collection of biometric data from migrants as it concerns the development of the Homeland Advanced Recognition Technology (HART) database. (Case Number 2022-HQFO-00781)

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

- On March 24, 2022, the Federal Emergency Management Agency (FEMA) released to **Gina Castro**, a private individual in Chicago, Illinois, one spreadsheet pertaining to the Individuals and Households Program (IHP) disaster assistance delivered to Louisiana coastal parishes after hurricanes. The spreadsheet was released in full. (Case Number 2022-FEFO-00387)

- On March 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Andrew Free**, a representative of *MuckRock News* in Somerville, Massachusetts, 225 pages of records pertaining to the Root Cause Analysis created by the Immigrant Health Services Corps (IHSC) for any Sentinel Event identified in the IHSC Continuous Quality Improvement (CQI) Activities Guide. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number ICE 2019-ICFO-38993)
- On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Tom Dreisbach**, a representative of *National Public Radio News* in Culver City, California, 4,200 pages of records pertaining to the Uniform Corrective Action Plan (UCAP) for Fiscal Years 2011-2018 developed for detention facilities used by U.S. Immigration and Customs Enforcement (ICE). Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (ICE Case Number 2018-ICFO-55661)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- On March 24, 2022, **Michael Howell** appealed the Office of Inspector General's (OIG) adequacy of search for responsive records pertaining to the submitted FOIA request seeking all complaints from Project South, Institute for Elimination of Poverty and Genocide, Georgia Detention Watch, Georgia Latino Alliance for Human Rights, and the South Georgia Immigrants Support Network. (Appeal Case Number 2022-IGAP-00020, Case Number 2021-IGFO-00002).

#### VI. Litigation

- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to the quarterly Operational Summary Safety Reports filed by contractors working with ICE Air Operations (IAO) from 2003 to the present. Additionally, all records related to the alleged sexual misconduct by IAO employees between 2003 through the present. On March 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 97 pages of records to the plaintiff.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to the "last-in-first-out" (LIFO) system under which USCIS gives priority to the most recently filed affirmative asylum applications when scheduling interviews. On March 24, 2022, U.S. Citizenship and Immigration Services (USCIS) released one Excel data set and 29 pages of records to the plaintiff.
- In the matter of *The Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)* plaintiff filed a FOIA request on June 19, 2018,



seeking records pertaining to Homeland Security Investigations (HSI) handbooks for Counterterrorism & Criminal Exploitation Investigations; Human Smuggling & Trafficking Investigations; Narcotics and Transnational Organized Crime Rewards Program; National Security Investigation; and Investigative Methods. On March 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 617 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) regarding the death of Anthony Jones. On March 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 155 pages of records to the plaintiff.
- In the matter of *Los Angeles Times Communications, LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to the ICE Office of Professional Responsibility (OPR) investigation closing reports related to sexual misconduct at Enforcement and Removal Operations (ERO) facilities. On March 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,625 pages of records to the plaintiff.
- In the matter of *WyoSayNo; Sierra Club and Natural Resources Defense Council, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-05663)*, plaintiff filed a FOIA request on June 30, 2021, seeking records pertaining to plans to build and operate an immigration detention center in or near Evanston, Wyoming, including, correspondence, and contracts with CoreCivic and the Management and Training Corporation (MTC). On March 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released 364 pages of records to the plaintiff.
- In the matter of *Austin Sanctuary Network v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01686)*, plaintiff filed a FOIA request on September 11, 2019, seeking records pertaining to fines or penalties imposed on individuals, including immigrants taking “sanctuary” in places of worship. On March 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 40 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (19-cv-00290)*, plaintiff filed a FOIA request on May 29, 2018, seeking records pertaining to social media surveillance-related policies and guidance. On March 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released 44 pages of records to the plaintiff.
- In the matter of *Crew v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02553)* plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to the decision to deploy federal agents to Portland, Oregon and Chicago, Illinois from June 2, 2020, through the present. On March 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 90 pages of records to the plaintiff.

- In the matter of *Al Otro Lado v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-03462)* plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to immigrants abused and neglected in ICE detention centers. On March 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 144 pages of records to the plaintiff.
- In the matter of *Leopold & BuzzFeed Inc. v. U.S. Department of Homeland Security (DHS) (20-cv-00722) (2020-HQLI-00020)* plaintiff filed a FOIA request on February 12, 2020, seeking records pertaining to the FEMA contingency plan for members of the public in the event of a coronavirus outbreak. On March 29, 2022, the Department of Homeland Security (DHS) Privacy Office released 7 pages of records to the plaintiff.
- In the matter of *Albaladejo v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-03806)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to ICE medical summaries for individuals transported from 2003 through the present by ICE Air Operations. On March 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 38 pages of records to the plaintiff.
- In the matter of *Justice Action Immigration Center v. U.S. Department of Homeland Security (DHS) (21-cv-7592)*, plaintiff filed a FOIA request on September 22, 2021, seeking records pertaining to the policies regarding the treatment of children who are apprehended at the border in the company of adults. On March 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 229 pages of records to the plaintiff.
- In the matter of *Project on Government Oversight, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-00250)* plaintiff filed a FOIA request on January 27, 2021, seeking records pertaining to emails related to a Fox News tour of ICE's Adelanto detention center in the summer of 2019, records related to communications between Dr. Stewart Smith, Assistant Director for ICE Health Service Corps, and Tae Johnson, ICE Assistant Director for Custody Management, Enforcement and Removal Operations from January 20, 2017, through the present and records of ICE IHSC root cause analysis and corrective action plans (CAPs) produced following detainee deaths in ICE custody from January 1, 2012, through the present. On March 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 78 pages of records to the plaintiff.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants. On March 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 239 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (20-cv-01367) (2020-HQLI-00030)* plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to the U.S. Immigration and Customs

Enforcement's (ICE) response to COVID-19 regarding vulnerable populations in prisons and detention centers. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 576 pages of records to the plaintiff.

- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)* plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to DHS's policy on immigration detention practices and DHS's plans to reduce detention capacity. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 372 pages of records to the plaintiff.
- In the matter of *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Homeland Security (DHS)(21-cv-02574) (2022-HQLI-00003)* plaintiff filed a FOIA request on June 9, 2021, seeking records pertaining to communications between former White House Chief of Staff Mark Meadows, Chad Wolf, Peter Gaynor, or Brandon Wales between November 1, 2020, to January 20, 2021. On March 31, 2022, the Department of Homeland Security (DHS) Privacy Office released 21 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083) (2021-HQLI-00005)* plaintiff filed a FOIA request on February 10, 2020, seeking records pertaining to the government's access to or receipt of data from commercial databases containing cell phone location information. On March 31, 2022, the U.S. Department of Homeland Security released 244 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
March 31, 2022 – April 6, 2022  
DHS Privacy Office  
April 11, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On March 31, 2022, **Stephen Poellot**, a representative of the **International Refugee Assistance Project** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the processing of requests for humanitarian parole by Afghan nationals at U.S. Ports of Entry issued after January 1, 2021. (Case Number CBP-2022-060665)
- On April 1, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to email communications between CBP officials and Senator Rick Scott or any staff member in Senator Scott's office from January 8, 2019, through the present (Case Number CBP-2022-061200)
- On April 1, 2022, **Tierney Sneed**, a representative of *CNN* in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between Virginia Thomas and acting Deputy Secretary Ken Cuccinelli from November 1, 2020, through January 20, 2022. (Case Number (Case Number 2022-HQFO-00826)
- On April 1, 2022, **Maeve McGoran**, a representative of *National Public Radio* in Washington D.C., requested from the United States Coast Guard (USCG) records pertaining to an incident that occurred in 2019 involving a midshipman from the United States Merchant Marine Academy. (Case Number 2022-CGFO-01279)
- On April 2, 2022, **Zachary Stieber**, a private individual in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Chris Magnus, Troy Miller, and Raul Ortiz mentioning "Title 42" or "CDC" from March 1, 2022, through April 1, 2022. (Case Number CBP-2022-061609)
- On April 4, 2022, **Tanvi Misra**, a private individual in Queens, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the use of cell-site simulators by CBP agents, employees, or partners from January 1, 2019, through the present. (Case Number CBP-2022-062199)
- On April 4, 2022, **Wills Robinson**, a representative of *DailyMail.com* in Malibu, California, requested from the Office of Inspector General (OIG) records pertaining to investigations into Secret Service agents or government employee misconduct. (Case Number 2022-IGFO-00144)

- On April 4, 2022, **Maeve McGoran**, a representative of *National Public Radio* in Washington D.C., requested from the United States Coast Guard (USCG) records pertaining to the names of Coast Guard attorneys who served as Special Assistant United States Attorneys working with the US Attorney's Office, Southern District of Florida or the US Attorney's Office, Eastern District of Louisiana between June 23, 2017, and November 12, 2019. (Case Number 2022-CGFO-01288)
- On April 4, 2022, **William Robinson**, a representative of *DailyMail.com* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to Secret Service agent's financial misconduct and activity in Malibu, California from January 20, 2021, through the present. (Case Number USSS 20220352)
- On April 4, 2022, **William Robinson**, a representative of *DailyMail.com* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to investigations into an agent or employees' misconduct in Malibu, California, from January 20, 2021, through the present. (Case Number USSS 20220353)
- On April 5, 2022, **Hart Wood**, a representative of **American Oversight** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the release of video footage capturing a facility tour of the Central Processing Center in McAllen, Texas on or around June 17, 2018. (Case Number CBP-2022-062338)

**Late Requests:**

- Nothing significant to report.

**III. Freedom of Information Act Releases**

- On April 1, 2022, the United States Coast Guard (USCG) released to **Ed Slavin** a representative of *Clean Up City of St. Augustine* in St. Augustine, Florida, 4 pages of records pertaining to cleanup efforts related to aviation gasoline and petroleum products spilled in wetlands as a result of a fatal crash on March 2, 2022. These documents were released in full. (Case Number 2022-CGFO-01246).
- On April 1, 2022, U.S. Customs and Border Protection released to **Ann Brown**, a representative of the **Center for Biological Diversity** in Portland, Oregon, 54 pages of records pertaining to the levee/flood barrier system of work in Rio Grande Valley, Texas. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2022-057168)
- On April 4, 2022, U.S. Customs and Border Protection (CBP) released to **Greg Wallace**, a representative of *CNN* in Washington, D.C., two pages of records pertaining to communications involving the Trump administration and the aesthetics of barriers along the U.S.-Mexico border. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case number CBP-2017-046426)
- On April 4, 2022, U.S. Customs and Border Protection (CBP) released to **Jason Leopold**, a representative of *Buzzfeed News* in Beverly Hills, California, 22 pages of records pertaining to the Standard Operating procedures for the apprehension, treatment, and incarceration of illegal alien adults and children and copies of use of force incident

investigations. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2019-006493)

- On April 4, 2022, U.S. Customs and Border Protection (CBP) released to **Elsa Goossen**, a representative of the **American Civil Liberties Union of New Mexico**, in Albuquerque, New Mexico, 532 pages of records pertaining to the apprehension, custody, processing, transfer, and release of migrants at the New Mexico border from April 7-20, 2019. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-052074)
- On April 4, 2022, U.S. Customs and Border Protection (CBP) issued to **John Greenewald**, a private individual in Castaic, California, a no records determination in response to his request seeking information related to the flight of an RC-26 type aircraft on November 23, 2019. (Case number CBP-2022-001985)
- On April 6, 2022, U.S. Customs and Border Protection (CBP) issued to **Jason Buch**, a private individual in Austin, Texas, a no records determination in response to his request seeking CBP Air and Marine Laredo Branch communication logs and dispatch records from January 10, 2017. (Case number CBP-2022-041153)
- On April 6, 2022, Federal Emergency Management Agency (FEMA) released to **Nate Jones**, a representative of *The Washington Post* in Washington D.C., one Excel spreadsheet of records pertaining to requests for ventilators submitted to FEMA by state governors and departments of health. The records were partially released under FOIA exemption 6. (Case Number 2021-FEFO-00267)
- On April 6, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **David Cleveland**, a representative of **Catholic Charities of Washington**, in Washington, D.C., 350 pages of records pertaining to Train the Trainer Instructions from headquarters to asylum offices from January 01, 2019, through the present. Portions of the release were withheld pursuant to FOIA Exemptions 6, and 7(E). (Case Number COW 2019-501495)
- On April 6, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative of the **Cato Institute**, in Washington, D.C., 6 pages of records pertaining to the number of service-wide forms for fiscal years 2007 through 2012. These records were released in full. (Case Number COW 2020-000184)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (21-cv-02632)*, plaintiff filed a FOIA request on April 14, 2021, seeking records pertaining to the acquisition and use of

Clearview AI facial recognition software. On March 30, 2022, U.S. Customs and Border Protection (CBP) released 38 pages of records to the plaintiff.

- In the matter of *Sierra Club v. U.S. Customs and Border Protection (CBP) (17-cv-05273)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On March 31, 2022, U.S. Customs and Border Protection (CBP) issued its thirty-fifth interim release to the plaintiff, consisting of 1,271 pages of records.
- In the matter of *Southern Poverty Law Center and Al Otro Lado v. U.S. Customs and Border Protection (CBP) (19-cv-3438)* plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining to the screening, inspection or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On March 31, 2022, U.S. Customs and Border Protection (CBP) released its nineteenth interim response to the plaintiff, consisting of 1,698 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204) (2021-HQLI-00006)* plaintiff filed a FOIA request on May 22, 2020, seeking records pertaining to COVID-19 in immigration detention facilities. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 105 pages of records to the plaintiff.
- In the matter of *Los Angeles Times Communications LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)* plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to sexual misconduct allegations at dedicated Enforcement and Removal Operations (ERO) facilities. On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3,644 pages of records to the plaintiff.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) (18-cv-01501)*, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to detainees being held in segregation, and all subsequent reviews conducted by the Field Office Director. On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 20 excel spreadsheets to the plaintiff.
- In the matter of *Graham v. U.S. Department of Homeland Security (DHS) (19-cv-02429)* plaintiff filed a FOIA request on December 04, 2019, seeking records pertaining to ICE's policies and procedures. On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 174 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS)(21-cv-01925)*, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act. On March 31, 2022, U.S. Citizenship and Immigration Services (USCIS) released 557 pages of records to the plaintiff.
- In the matter of *Oona Hathaway v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)* plaintiff filed a FOIA request on December 29,



2020, seeking records pertaining to nonbinding international understandings and arrangements. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 7 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union Foundation and American Civil Liberties Union Foundation of Northern California v. United States Citizenship and Immigration Services (USCIS) (19-cv-00290)*, plaintiff filed a FOIA request on May 29, 2018, seeking records pertaining to the agency's search, analysis, filtering, monitoring, or collection of content available on any social media network. On April 1, 2022, U.S. Citizenship and Immigration Services (USCIS) released 20 pages of records to the plaintiff.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States' treatment of a Mexican journalist, his son, and their attorney. On April 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 239 pages of records to the plaintiff.
- In the matter of *Lawyers Committee for Civil Rights v. U.S. Department of Homeland Security (DHS) (18-cv-00167) (2018-HQLI-00014)* plaintiff filed a FOIA request on October 24, 2017 seeking records pertaining to communications between DHS officials and members of the Presidential Advisory Commission on Election Integrity from January 20, 2017, through the present. On April 1, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 16 pages of records to the plaintiff.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Department of Homeland Security (DHS) (21-cv-12030)* plaintiff filed FOIA requests on December 13, 2021, seeking records pertaining to ICE detainees being placed into segregated housing. On April 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 384 pages of records to the plaintiff.
- In the matter of *Jesus Vidal-Martinez v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-07772)* plaintiff filed a FOIA request on December 29, 2020, seeking records pertaining to communications between ICE, Decatur County Sheriff, and the U.S. Department of Justice related to an individual detained by ICE. On April 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 95 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)* plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On April 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 493 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Department of Homeland Security (DHS) (21-cv-02632) (2021-HQLI-00024)* plaintiff filed a FOIA request on October 19, 2020, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI. On April 4,

2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 4 pages of records to the plaintiff.

- In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00017)* plaintiff filed a FOIA request on January 07, 2022, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants. On April 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 610 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (19-cv-01817)* plaintiff filed a FOIA request on February 8, 2019, seeking records pertaining to the death of 2 individuals who were detained by ICE. On April 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 518 pages of records to the plaintiff.
- In the matter of *Southern Poverty Law Center v. U.S. Department of Homeland Security (DHS)(18-cv-01725)* plaintiff filed a FOIA request on January 23, 2018, seeking records pertaining to ordering agreements between ICE and local authorities or law enforcement agencies. On April 5, U.S. Immigration and Customs Enforcement (ICE) released 878 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)* plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On April 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 515 pages to the plaintiff.
- In the matter of *American Oversight v. United States Citizenship and Immigration Services (USCIS)(19-cv-00774)*, plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to communications from White House adviser Stephen Miller and his former executive assistant McLaurine Klinger. On April 5, 2022, U.S. Citizenship and Immigration Services (USCIS) released 311 pages of records to the plaintiff.
- In the matter of *Human Rights First v. U.S. Citizenship and Immigration Services (USCIS) (22-cv-00008)*, plaintiff filed a FOIA request on May 17, 2021, seeking records pertaining to credible and reasonable fear determinations and affirmative asylum adjudications from FY2016 through the present. On April 5, 2022, U.S. Citizenship and Immigration Services (USCIS) released two spreadsheets to the plaintiff.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. U.S. Customs and Border Protection (CBP) 20-cv-1583* plaintiff filed a FOIA request on August 16, 2019, seeking records pertaining to family reunification and the release of minors from DHS Custody. On April 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released 597 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
April 21 – April 27, 2022  
DHS Privacy Office  
May 2, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On April 21, 2022, (b)(6) a private individual in West Richland, Washington, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to an individual’s citizenship application, including any USCIS inter-department documentation requesting that his application be prioritized and any subsequent Whitehouse communications requesting his citizenship application receive special status between 1984 and 1985. (Case Number COW 2022-002106)
- On April 21, 2022, **Lauren Etter**, a representative of *Bloomberg News* in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between CBP Headquarters and representatives of the Mediterranean Shipping Company between January 1, 2018, to December 31, 2022. (Case number CBP-2022-069152)
- On April 21, 2022, **Lauren Etter**, a representative of *Bloomberg News* in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications discussing civil penalties against the motor vessel MSC Gayane and the company MSC Mediterranean Shipping Company between January 1, 2018, to December 31, 2022. (Case number CBP-2022-069157)
- On April 21, 2022, **Nicole Edwards**, a private individual in Milwaukee, Wisconsin, requested from the United States Coast Guard (USCG) records pertaining to the last five years of data for both attempted suicides and deaths in the USCG. (Case Number 2022-CGFO-01430)
- On April 21, 2022, **Chris Hansen**, a private individual in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to documents to and from Hobby Lobby referencing the complaint *United States of America v. Approximately Four Hundred Fifty (450) Ancient Cuneiform Tablets* from January 1, 2011, through the present. (Case number CBP-2022-069178).
- On April 21, 2022, **Mike Dorfman**, a representative of *NBC 7 San Diego* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the total numbers and seized cases of auto-sear devices and semi-automatic firearms between January 1, 2017, through the present. (Case number CBP-2022-069196).
- On April 22, 2022, **Patrick Malone**, a representative of *The Seattle Times*, in Seattle, Washington, requested from the U.S. Department of Homeland Security (DHS)

Privacy Office records pertaining to each CDC Director's update brief on coronavirus between December 1, 2019, through March 13, 2020. (Case Number 2022-HQFO-00926)

- On April 22, 2022, **Austin Evers**, a representative of *American Oversight*, in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the daily briefings or situation reports prepared for the leadership at DHS that contain information regarding the ongoing coronavirus outbreak. (Case Number 2022-HQFO-00925)
- On April 22, 2022, **Tracey Costa**, a private individual in South Portland, Maine, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to archival photo materials that are available at the Consolidated Federal Law Enforcement Training Center in Washington D.C. from 1975. (Case Number FLETC FOIA 22-112)
- On April 22, 2021, **John Greenwald**, a representative of **The Black Vault** in Castaic, California requested from the United States Secret Service (USSS) records pertaining to the Federal Aviation Administration's (FAA) failure to notify Capitol Police about a parachute stunt at a nearby baseball stadium that led to an alert and urgent evacuation of the U.S. Capitol. (Case Number USSS 20220377)
- On April 22, 2022, **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Credibility Assessment Division polygraph referrals reports from FY 2005 through the present. (Case number CBP-2022-069591)
- On April 22, 2022, **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications between USCIS employee Julie Farnam and the Capital Police Department from February 1, 2015, through October 31, 2020. (Case Number COW 2022-002116)
- On April 25, 2022, **John Locklair**, a private individual in Charleston, South Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to several items pertaining to COVID-19 and CBP employees. (Case number CBP-2022-070198)
- On April 25, 2022, **John Locklair**, an individual in Charleston, South Carolina, requested from U.S. Customs and Border Protection (CBP) the following items from the Charleston, South Carolina port of entry: (1) COVID-19 positive cases for both vaccinated and unvaccinated employees; and (2) data comparing those who the agency considers "vaccinated" against COVID-19 to those who are considered "unvaccinated" against COVID-19 in the number of positive cases and in terms of total sick time used, from October 1, 2021, to present. (Case number CBP-2022-070314)
- On April 26, 2022, **Emily Miller**, a representative of *emilypostnews.com* in Arlington, Virginia, requested from the United States Secret Service (USSS) records pertaining to emails or phone conversations related to the planning of a ghost gun kit for a event with President Biden at the White House on April 11, 2022. (Case Number USSS 20220381)
- On April 26, 2022, **Joseph Cox**, a representative of **Motherboard** in Somerville, Massachusetts, requested from the United States Coast Guard (USCG) records

pertaining to a copy of the most recent Loss, Damaged, or Destruction (LDD) list. (Case Number 2022-CGFO-01439)

- On April 26, 2022, **Emily Davies**, a representative of *The Washington Post* in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to personnel records, including disciplinary records, for an individual, who entered Coast Guard Basic Training in August 2017 and died on April 22, 2022. (Case Number 2022-CGFO-01445)
- On April 27, 2022, **Justin McCarthy**, a representative of **Judicial Watch**, in Washington, D.C. requested from the United States Secret Service (USSS) records pertaining to visits made to former Vice President Biden's residence from January 21, 2017 to January 20, 2021. (Case Number USSS 20220384)

**Late Requests:**

- Nothing significant to report.

**III. Freedom of Information Act Releases**

- On April 22, 2022, U.S. Customs and Border Protection (CBP) released to **Susan Gibbs**, a representative of **The Immigration Hub** in Tiburon, California, one excel spreadsheet containing information related to Southwest Border "Family Unit" Encounters from FY 2013 to July 2021. This record was released in full. (Case number CBP-2021-077662)
- On April 25, 2022, the Federal Protective Service (FPS) issued to **Michelle Theriault**, a representative of *Anchorage Daily News* in Anchorage, Alaska, a full denial in response to her request for records pertaining to communications relating to the investigation of former FPS employee Bert Christopher Heitstuman. These records were withheld pursuant to FOIA Exemptions 5, 6, 7(A), and 7(C). (Case Number 2022-FPFO-00092)
- On April 26, 2022, the United States Secret Service (USSS) released to **Austin Evers** a representative of **American Oversight**, in Washington, D.C., 10 pages of records pertaining to travel records, expenses, and communications related to the use of properties owned by the Trump Organization for government-sponsored meetings, conferences, or travel from July 24, 2017, to December 2, 2019. (Case Number USSS 20200236)
- On April 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Andrew Becker**, a representative of **Borderdom Productions** in Salt Lake City, Utah, 355 pages of records pertaining to the closed criminal investigation of **(b)(6)** **(b)(6)** conducted by the ICE Office of Professional Responsibility Tucson office. 355 pages will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2019-ICAP-00295)

**IV. Freedom of Information Act Appeals**

- Nothing significant to report.

## V. Freedom of Information Act Appeals Releases

- Nothing significant to report.

## VI. Litigation

- In the matter of *Reed Smith LLP v. U.S. Customs and Border Protection (CBP) (21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to the United States Border Patrol transportation checks near Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On April 20, 2022, U.S. Customs and Border Protection (CBP) released its fourth interim response, consisting of 503 pages of records to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06239)*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On April 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 208 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02363)* plaintiff filed a FOIA request on August 07, 2019, seeking records pertaining to Form I-213 prepared by agents or employees under the supervision of the Philadelphia Field Office between January 1, 2017, through the present. On April 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 500 pages of records to the plaintiff.
- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly operational summary Safety Reports filed by contractors working with Ice Air Operations (IAO) from 2003 to the present and records related to alleged misconduct by IAO employees between 2003 and the present. On April 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 158 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Immigration and Customs Enforcement (ICE)(21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) pursuant to the Johnson memorandum. On April 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 105 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS)(20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to Form I-924A filed by EB-5 Regional Centers for FY 2017. On April 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 136 pages of records to the plaintiff.

- In the matter of *Project on Government Oversight, Inc. v. U.S. Immigration and Customs Enforcement (ICE)(19-cv-03372)* plaintiff filed a FOIA request on November 07, 2019, seeking records pertaining to communications between government officials and representatives of Amazon regarding facial recognition technology. On April 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 437 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-2725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to the submission, acceptance, and review of detainee health with Kenosha County, Wisconsin for the health care provided to people held under immigration laws. On April 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 553 pages of records to the plaintiff.
- In the matter of the *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to HSI Special Agent Handbooks, memoranda, or training materials issued from January 21, 2017, through the present. On April 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 507 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE)(21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to talking points prepared for Secretary Nielsen regarding the Migrant Protection Protocols (MPP). On April 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 341 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)(20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) regarding the death of Anthony Jones. On April 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 93 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE)(18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the U.S.-Mexico border. On April 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 28 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Department of Homeland Security (DHS)(20-cv-10083) (2021-HQLI-00005)*, plaintiff filed a complaint on December 2, 2020, seeking records pertaining to government access to or receipt of data from commercial databases containing cell phone location information. On April 27, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 277 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)*, plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to the purchase and use of



Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM) System. On April 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 438 pages of records to the plaintiff.

- In the matter of *The Center for Immigration Studies v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00566)*, plaintiff filed a FOIA request on November 22, 2021, seeking records pertaining to Alien's removed by ICE from FY 2019 through FY 2021. On April 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Customs and Border Protection (CBP) (22-cv-10301)* plaintiff filed a FOIA request on May 26, 2020, seeking records pertaining to individuals with F-1 student visas denied entry and/or deemed inadmissible by Customs and Border at ports of entry, as well as policies regarding denial of entry, visa revocations, expedited removal, electronic device searches, and social media data collection for visa holders. Plaintiff filed suit on February 23, 2022, claiming improper withholding of documents. On April 27, 2022, U.S. Customs and Border Protection (CBP) released its first interim response, consisting of 25 pages of records and 3 excel spreadsheets to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
April 28, 2022 – May 4, 2022  
DHS Privacy Office  
May 9, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On April 28, 2022, **Sherri L. Kukla**, a representative of **S&S Publishing Incorporated** in Borrego Springs, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the license plate numbers of vehicles that passed southbound through the border checkpoint on Highway 86 on February 10, 2022. (Case Number CBP-2022-071704)
- On April 28, 2022, **Linda Evarts**, a representative of the **International Refugee Assistance Project** in Washington D.C. requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the number of Afghan nationals who sought entry to the United States after the U.S. withdrawal from Afghanistan in 2021 and who have been, are, and/or will be denied entry and/or required to depart from the United States (Case Number 2022-HQFO-00939)
- On April 28, 2022, **Samantha Sabin** a representative of **Politico** in Arlington, Virginia, requested from the Cybersecurity and Critical Infrastructure (CISA) records pertaining to all the Slack team domains that are in active use by employees or divisions within the Cybersecurity and Infrastructure Security Agency as of April 27, 2022. (Case Number 2022-NPFO-00115)
- On April 28, 2022, **Natasha Merle**, a representative of **NAACP Legal Defense and Educational Fund** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to federal law enforcement personnel being delegated authority to respond to protests and demonstrations in the District of Columbia, and the legal authority for such delegation. (Case Number 2022-CGFO-01472)
- On April 28, 2022, **Don Christensen**, a representative of **Protect Our Defenders** in Washington, District of Columbia, requested from the United States Coast Guard (USCG) records pertaining to the training of Victims' Legal Counsel (VLC). (Case Number 2022-CGFO-01473)
- On April 29, 2022, **Jay Weaver**, a private individual in Las Cruces, New Mexico requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Alejandro Mayorkas and Nina Jankowicz including any of the following words "social media", "misinformation",

"disinformation", "Facebook", "Twitter", "Musk", or "Elon Musk" from April 1, 2022, through April 29, 2022. (Case Number 2022-HQFO-00944)

- On April 29, 2022, **Eric Geller** a representative of *Politico* in Arlington, Virginia, requested from the Cybersecurity and Critical Infrastructure (CISA) records pertaining to correspondence submitted by agencies to CISA pursuant to section 3(d)(i) of Executive Order 14028, which requires agencies to submit progress reports documenting their adoption of multi-factor authentication and encryption. (Case Number 2022-NPFO-00116)
- On April 29, 2022, **Roxanne Scott**, a representative of *Futuro Media* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to Border Patrol Search, Trauma, and Rescue (BORSTAR) Unit activities from the fiscal year 2015 through the present. (Case Number CBP-2022-072385)
- On April 29, 2022, **Hasson Peter**, a representative of *Fox News* in Fort Worth, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Disinformation Governance Board from February 1, 2022, through April 29, 2022. (Case Number 2022-HQFO-00945)
- On April 29, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to visitors at President Joe Biden's residences in Wilmington and Rehoboth Beach from January 1, 2021, through January 1, 2022. (Case Number 2022-HQFO-00947)
- On April 30, 2022, **Alexis Kaiser**, a private individual in Cyril, Oklahoma, requested from the U.S. Department of Homeland Security records pertaining to correspondence and presentations related to the creation of the Disinformation Governance Board that contain the word "disinformation" since President Biden took office on January 20, 2021. (Case Number 2022-HQFO-00953)
- On May 2, 2022, **David German**, a private individual in Collierville, Tennessee requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the approved DHS Privacy Act System of Records Notice (PA SORN) that specifically authorizes the DHS Disinformation Governance Board to collect personal/privacy information about members of the public. (Case Number 2022-HQFO-00965)
- On May 2, 2022, **Jack Gillum**, a representative of *Bloomberg News* in New York, New York, requested from the Cybersecurity and Critical Infrastructure (CISA) records pertaining to emails sent to or from Director Jen Easterly or Executive Director Brandon Wales in which the word "Dragos" is in the subject or body of the message. (Case Number 2022-NPFO-00117)
- On May 2, 2022, **Molly Rokosz**, a representative of *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the "after-action report" prepared by Border Patrol's El Paso Sector in late 2017 at the conclusion of a pilot program in which CBP agents separated migrant families to prosecute adult family members. (Case Number CBP-2022-072755)

- On May 2, 2022, **Jimmy Tobias**, a representative of *The Guardian* in Somerville, Massachusetts requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the work calendars, itineraries, and other official schedules for Nina Jankowicz, head of the Disinformation Governance Board from April 2022 through the present. (Case Number 2022-HQFO-00956)
- On May 2, 2022, **Jimmy Tobias**, a representative of *The Guardian* in Somerville, Massachusetts requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to briefing books, memos, reports, or white papers, sent, or received by Nina Jankowicz concerning the board's mission, activities, priorities, agendas, and operations. (Case Number 2022-HQFO-00958)
- On May 2, 2022, **Brian Lindahl**, a private individual in Somerset, Wisconsin requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to documents including the terms "disinformation", "misinformation", "social media" or "Musk". (Case Number 2022-HQFO-00954)
- On May 2, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to payments, statements of work, letters of engagement, and contracts between Benjamin Sasse and the Department of Human Services from January 1, 2004, through September 30, 2005. (Case Number 2022-HQFO-00961)
- On May 2, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to policies and memorandums authored by Benjamin Sasse from January 1, 2004, through September 30, 2005. (Case Number 2022-HQFO-00962)
- On May 2, 2022, **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to investigations opened by the CBP Office of Professional Responsibility after a CBP employee is arrested by local law enforcement from 2000 through the present. (Case Number CBP-2022-073232)
- On May 2, 2022, **Michael Kaufman**, a representative of **ACLU SoCal** in Los Angeles, California, requested from the Office of Inspector General (OIG) records pertaining to communications or investigations related to the release of hospitalized detainees from custody prior to their death. (Case No. 2022-IGFO-00158)
- On May 2, 2022, **Dan Heily**, a private individual in Great Falls, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to data on the Disinformation Board (Case Number 2022-HQFO-00955)
- On May 3, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the creation of the Disinformation Governance Board from February 15, 2022 through March 15, 2022. (Case Number 2022-HQFO-00966)

- On May 3, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Nina Jankowicz from April 25, 2022 through April 26, 2022. (Case Number 2022-HQFO-00967)
- On May 3, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Alejandro Mayorkas mentioning "disinformation" or "governance board" from April 25, 2022 through May 2, 2022. (Case Number 2022-HQFO-00968)
- On May 3, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Nina Jankowicz between addresses ending with "@who.eop.gov" mentioning "disinformation" from February 1, 2022 through May 1, 2022. (Case Number 2022-HQFO-00969)
- On May 3, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Secretary Mayorkas between addresses ending with "@who.eop.gov" mentioning "disinformation" from January 1, 2022 through May 1, 2022. (Case Number 2022-HQFO-00970)
- On May 3, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C. requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications that mention "Nina Jankowicz" and/or "Jankowicz" and/or "Disinformation Governance Board" and/or "Disinformation Board" from December 1, 2021, through April 22, 2022. (Case Number 2022-HQFO-00971)
- On May 3, 2022, **Adam Turner**, a representative of **CASA** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Disinformation Governance Board Operating Protocols and procedures when U.S. citizens are monitored by the board. (Case Number 2022-HQFO-00974)
- On May 3, 2022, **Adam Turner**, a representative of **CASA** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications establishing the Disinformation Governance Board's Leadership. (Case Number 2022-HQFO-00975)
- On May 3, 2022, **William Robinson**, a representative of *DailyMail.com* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to government funds used to provide security at 20781 Big Rock Drive, Malibu, California and/or 20779 Big Rock Drive, Malibu, California since January 20, 2021, and all documents related to government funds used to provide security. (Case Number USSS 20220389).
- On May 3, 2022, **Xavier Cachon** a representative of **White and Williams LLP** in Philadelphia, Pennsylvania requested from the U.S. Department of Homeland Security

(DHS) Privacy Office records pertaining to Coast Guard investigative / incident reports for a maritime terminal loss on April 7, 2022. (Case Number 2022-HQFO-00972)

- On May 4, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C. requested from the Cybersecurity and Critical Infrastructure (CISA) records pertaining to April 2022 calendar records for Jen Easterly. (Case Number 2022-NPFO-00118)

**Late Requests:**

- On January 19, 2022, **Mike LaSusa**, a representative of **Law360** in Lakewood, Colorado, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to resignation and farewell communications announcing or regarding the following individuals' departure from U.S. Immigration and Customs Enforcement: Tim Perry, former Chief of Staff John D. Trasviña, former Principal Legal Advisor. (Case Number 2022-ICFO-13504)
- On July 20, 2021, **Hannah Beckler**, a representative of *Insider Inc.* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE Detention center policies and detainees. (Case Number 2022-ICFO-11409)
- On March 11, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C. requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications to or from senior officials regarding any of these terms: National Terrorism Advisory System Bulletin, NTASB, MDM, mis-information, mal-information, dis-information, bulletin, mis-dis- and mal-information, domestic terrorism branch and National Terrorism Advisory System. (Case Number 2022-HQFO-00718)
- On April 21, 2022, **Joseph Cox** a private individual in Somerville, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between the Procurement Officer and Relx Inc related to the contract Award ID 70US0920F3OTH0082. (Case Number 2022-HQFO-00916)
- On April 21, 2022, **Aaron Schaffer**, a representative of the *Washington Post* in Washington D.C., requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to the titles of the channels used in the agency's Slack instances as of April 21, 2022. (Case Number 2022-NPFO-00112)
- On April 21, 2022, **Jonathan Keegan**, a representative of *The Markup* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to services and tools provided to DHS under the Cobwebs America, Inc. contract and any other contracts awarded to Cobwebs America, Inc. that the DHS may have awarded from January 1, 2020 to April 21, 2022. (Case Number 2022-HQFO-00918)
- On April 22, 2022, **John Greenwald** a representative of *The Black Vault, Inc* in Castaic, California, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Federal Aviation Administration's (FAA)

failure to notify Capitol Police about a parachute stunt at a nearby baseball stadium that led to an alert and urgent evacuation of the U.S. Capitol. (Case Number 2022-HQFO-00920)

- On April 26, 2022, **Jessica Zhang**, a representative of **RAICES** in San Antonio, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to an individual held in DHS custody at the South Texas ICE Processing Center in Pearsall, Texas and the Laredo Detention Center in Laredo, Texas. (Case Number 2022-HQFO-00930)
- On April 26, 2022, **Joseph Cox** a representative of **Motherboard** in Somerville, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to a copy of the most recent Loss, Damaged, or Destruction (LDD) list (Case Number 2022-HQFO-00927)
- On April 27, 2022, **Silva Ken**, a representative of **Epoch Times** in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the March 2021 assessment about domestic violent extremism that DHS secretary Alejandro Mayorkas referenced in his opening statement at a House Homeland Security Committee hearing on April 27, 2022. (Case Number 2022-HQFO-00964)
- On April 27, 2022, **Paul Anderson**, a representative of **The FountainThread Media Group** in Saint Petersburg, Florida requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to Bulletins and Reports authored or contributed by several companies from July 13, 2015, to December 25, 2017. (Case Number 2022-NPFO-00114)
- On April 27, 2022, **Sean Dunagan**, a representative of **Judicial Watch** in Salt Lake City, Utah, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Disinformation Governance Board announced on April 27, 2022, and communications between DHS employees serving on the Board and any representatives of non-profit organizations. (Case Number 2022-HQFO-00933)
- On April 27, 2022, **Andrew Free** a private individual in Somerville, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to calendar entries or events hosted by the DHS FOIA/Privacy office related to efforts to reduce the agency's FOIA log. (Case Number 2022-HQFO-00931)

### III. Freedom of Information Act Releases

- On April 29, 2022, U.S. Customs and Border Protection (CBP) released to **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, 28 pages of records pertaining to Public Affairs Guidance. Portions of this request are withheld pursuant to FOIA exemptions 6, and 7(C). (Case number CBP-2020-068419)
- On May 4, 2022, U.S. Customs and Border Protection (CBP) released to **Lauren Etter**, a representative of **Bloomberg News** in Los Angeles, California, a one page record pertaining to civil penalties assessed against the Mediterranean Shipping



Company from 2018 to 2022. Portions of this request are withheld pursuant to FOIA exemption 7(E) (Case number CBP-2022-069157)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01501)* plaintiff filed a FOIA request on September 15, 2017, requesting records for the time period beginning January 1, 2016, all written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On April 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 5 excel spreadsheets.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States' treatment of Mexican journalist Emilio Gutierrez-Soto, his son, Oscar Emilio Gutierrez-Soto, and their attorney, Eduardo Beckett. On April 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 61 pages of records to the plaintiff.
- In the matter of *Crew v. U.S. Immigration and Customs Enforcement (ICE)(20-cv-02553)*, plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to communications from June 2, 2020, relating to the decision to deploy federal agents to Portland, Oregon, and Chicago, Illinois. On April 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 262 pages of records to the plaintiff.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement (ICE) (21-cv-03462)*, plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to immigrants abused and neglected in ICE detention centers. On April 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 221 pages of records to the plaintiff
- In the matter of *RAICES v. U.S. Immigrations and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed FOIA requests on April 19, 2021, seeking records pertaining to a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas. On April 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released a 51-minute video recording to the plaintiff.
- In the matter of *Graham v. U.S. Immigrations and Customs Enforcement (ICE) (19-cv-02429)*, plaintiff filed a FOIA request on December 04, 2019, seeking records pertaining to documents that describe ICE's policies and procedures to include training manuals, rules, guidelines, court rulings and administrative rulings On April

29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 41 pages of records to the plaintiff.

- In the matter of *Los Angeles Times Communications LLC v. U.S. Immigrations and Customs Enforcement (ICE)(20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to the ICE Office of Professional Responsibility (OPR) Investigation Closing Reports related to sexual misconduct allegations at dedicated Enforcement and Removal Operations (ERO) facilities. On April 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 4,197 pages of records to the plaintiff.
- In the matter of *Knight First Amendment Institute at Columbia University v. U.S. Immigrations and Customs Enforcement (ICE) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to vetting policies, and the government's understanding of its authority to base immigration decisions on individuals' speech, beliefs, or associations. On May 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 49 pages of records to the plaintiff.
- In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement (ICE)(22-cv-00017)*, plaintiff filed a FOIA request on January 07, 2022, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On May 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 604 pages of records to the plaintiff.
- In the matter of *Sierra Club v. U.S. Customs and Border Protection (CBP) (17-cv-05273)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On April 29, 2022, U.S. Customs and Border Protection (CBP) issued its thirty-sixth interim release to the plaintiff consisting of 1,204 pages of records.
- In the matter of *Skylight Engagement and American Immigration Council v. U.S. Customs and Border Protection (CBP) (21-cv-00922)* plaintiff filed a FOIA request on October 14, 2020, seeking records pertaining to three raids on the No More Deaths aid station (Camp Byrd) which took place on June 15, 2017, July 31, 2020, and October 5, 2020. Plaintiff filed suit on February 19, 2021, claiming injunctive relief. On April 29, 2022, U.S. Customs and Border Protection (CBP) issued its fifth interim response- to the plaintiff consisting of 626 pages of records and 18 video files.
- In the matter of the *Advocates for Basic Legal Equality, Inc. and the American Immigration Council v. U.S. Customs and Border Protection (CBP) (22-cv-00149)*, plaintiff filed a FOIA request on March 12, 2021, seeking records pertaining to the Sandusky Bay Station's practices and procedures relating to apprehension, arrest, and/or seizure, detention, and/or custody, racial profiling, and collaborations with state and local law enforcement. Plaintiff filed suit on January 28, 2022, claiming

injunctive relief. On April 29, 2022, U.S. Customs and Border Protection (CBP) released its seventh interim release to the plaintiff consisting of 500 pages of records.

- In the matter of the *State of Florida v. U.S. Customs and Border Protection (CBP) (21-cv-014462)*, plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to the impacts of DHS's September 30, 2021, immigration enforcement guidance. Plaintiff filed suit on September 12, 2021, claiming injunctive relief. On April 29, 2022, U.S. Customs and Border Protection (CBP) issued its second interim response to the plaintiff consisting of 160 pages of records.
- In the matter of *American Immigration Council v. Department of Homeland Security (DHS) (18-cv-01531)( 2018-HQLI-00036)*, the plaintiff filed a complaint on June 27, 2018, seeking records pertaining to the separation of adult family members from minor children, complaints referencing family separation received by the agencies, and data capturing the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On April 29, 2022, the Department of Homeland Security (DHS) Privacy Office will release 436 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of the *American Civil Liberties Union of Northern California U.S. Customs and Border Protection (CBP) (21-cv-02632)*, plaintiff submitted a complaint on April 14, 2021, seeking records pertaining to the acquisition and use of Clearview AI facial recognition software. On April 30, 2022, U.S. Customs and Border Protection (CBP) issued the sixth interim release to the plaintiff consisting of 348 pages of records.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
May 12, 2022- May 18, 2022  
DHS Privacy Office  
May 23, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On May 11, 2022, **Matthew Phelan**, a representative of *Muck Rock News* in Boston, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to foreign fishing trawlers off the Atlantic coast that precipitated counterintelligence inquiries or reports—including Suspicious Activity Reports submitted by members of the public from the years 2005 to 2010. (Case Number 2022-CGFO-01581)
- On May 12, 2022, **Jeremy Borden**, a private individual in Durham, North Carolina, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Intergovernmental Personnel Act Mobility Program (IPA) and all other employment-related agreements with several companies and firms. (Case Number 2022-HQFO-01032)
- On May 13, 2022, **Michael McAuliff**, a representative of *Kaiser Health News* in Baltimore, Maryland, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Medical Deferred Action Data from 2018 through the present. (Case Number COW 2022-002469)
- On May 11, 2022, **Catherine Welch**, a representative of *WFAE* in Charlotte, North Carolina, requested from the Transportation Security Administration (TSA) records pertaining to fines or penalties handed out to passengers caught with either a loaded or unloaded gun at a TSA checkpoint in the Asheville Regional Airport between January 1, 2021, through March 31, 2021. (Case Number 2022-TSFO-00561)
- On May 13, 2022, **Jim Brown**, a representative of **Holman Fenwick Willan USA LLP** in Corpus Christi, Texas, requested from the United States Coast Guard (USCG) records pertaining to communications between Port of Corpus Christi Authority (POCCA) employees and a USCG employee. (Case Number USCG 2022-CGFO-01609)
- On May 13, 2022, **Robert Mele**, a representative of **Ivery Capital Investment Group LLC** in Hampton, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the Coast Guards' intentions for establishing Child Development Centers in Elizabeth City, North Carolina and Hampton Roads, Virginia. (Case Number 2022-CGFO-01611)

- On May 16, 2022, **Perla Trevizo**, a representative of *ProPublica* in Seattle, Washington, requested from U.S. Customs and Border Protection (CBP) records pertaining to the case-by-case data on Border Patrol apprehensions for Fiscal Year (FY) 2010 through Fiscal Year (FY) 2022. (Case Number CBP- 2022-079371)
- On May 16, 2022, **Chris Nelson**, a representative of **Judicial Watch** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the use of drones to transport illegal drugs along the United States and Mexico border from January 2019 through the present. (Case Number CBP- 2022-079432)
- On May 16, 2022, **Byron Tau**, a representative of *Wall Street Journal* in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to the use of commercially available data or metadata products, social media monitoring, data related to transaction or financial records and any other commercially available data source or product. (Case Number 2022-CGFO-01637)
- On May 16, 2022, **Blake Ellis**, a representative of *CNN Investigations* requested from the United States Coast Guard (USCG) records pertaining to complaints concerning any U.S. Coast Guard Administrative Law Judge over the past five years. (Case Number 2022-CGFO-01619)
- On May 16, 2022, **Clara Clemson**, a representative of **Phelps Dunbar, LLP** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the Major Incident Investigation (MII) Report and related documents concerning the USCG Benjamin Dailey fire that occurred on December 10, 2021. (Case Number 2022-CGFO-01631)
- On May 16, 2022, **Noel Ciambotti**, a representative of **Card Group Intl** in Clarksville, Tennessee requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Government contractors, vendors, and suppliers that DHS has paid more than \$500,000 and the number of transactions it represented using either a physical or virtual Visa/MasterCard Credit Card over the last 12 months. (Case Number 2022-HQFO-01071)
- On May 17, 2022, **Matthew Barkmeier**, a private individual in Elk Grove Village, Illinois requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the COVID status of TSA employees since the mandate was put into effect from September 9, 2021, to May 16, 2022. (Case Number 2022-HQFO-01064)
- On May 17, 2022, **Hannah Rappleye**, a representative of *NBC News Investigative* in New York, New York requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between David Leavitt, prosecutor for Utah County, Utah, and Assistant Special Agent in Charge (ASAC) Steve Andres, ASAC Brandon Crane, RAC Adam Koeneman, RAC Luke Lambert, and SA Michael Keck between December 1, 2019, and the present day. (Case Number 2022-HQFO-01066)
- On May 17, 2022, **Chris Nelson**, a representative of *Judicial Watch* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining

to Congress or other oversight agencies regarding false passports being detected or seized by U.S. Customs and Border Protection from January 2019 through the present. (Case Number CBP-2022-079493)

- On May 17, 2022, **SangYeob Kim**, a representative of **American Civil Liberties Union of New Hampshire** in Concord, New Hampshire requested from U.S. Customs and Border Protection (CBP) records pertaining to U.S. Customs and Border Protection's non-checkpoint operations within the purview of the Swanton sector office including roving patrols, intelligence-based operations, and surveillance from January 2017 through the present. (Case Number CBP- 2022-079696)
- On May 17, 2022, **Michael DeForest**, a representative of **WKMG-TV Orlando** in Orlando, Florida, requested from the United States Coast Guard (USCG) records pertaining to USCG investigation into the cruise ship Harmony of The Seas that entered a rocket launch exclusion zone off Cape Canaveral, Florida on January 30, 2022, which led to the scrub of a SpaceX rocket launch. (Case Number 2022-CGFO-01623)
- On May 18, 2022, **Jesse Colman**, a private individual requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to guidance from the Office of the Secretary of the Interior to any law enforcement entities under the jurisdiction of the Secretary of the Interior describing preparation or reaction to the January 6th "Stop the Steal" event. (Case Number 2022-HQFO-01115)
- On May 18, 2022, **Micheal Vass**, a representative of **M V Consulting** in Binghamton, New York requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the total funds spent to date, and contracted to be paid, in relation to the Disinformation Governance Board. (Case Number 2022-HQFO-01084)

#### **Late Requests:**

- On September 15, 2021, **Alexander Jordan**, a representative of **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to policies and procedures that would influence when ICE conducts investigations related to non-immigration related crimes, suspected crimes or other incidents. (Case 2022-ICFO-14934)
- On January 4, 2022, **Sharon Brett**, a representative of **ACLU of Kansas** in Mission, Kansas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to DHS or ICE negotiating a contract with CoreCivic for use of its facility in Leavenworth County, Kansas. (Case 2022-ICFO-14973)
- On April 6, 2022, **Nicole Einbinder**, a representative of **Insider** in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the death of Roxana Hernandez who died on or about May 25, 2018, at the Lovelace Medical Center (LMC) in Albuquerque, New Mexico, after being held

at the Cibola County Correctional Center in Milan, New Mexico. (Case Number 2022-ICFO-16045)

- On April 6, 2022, **Wills Robinson**, a representative of *Daily Mail* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number of cell phones given to migrant parolees, types of cell phones and the money spent on them since January 20, 2021. (Case Number 2022-ICFO-16035)
- On April 8, 2022, **Nicole Einbinder**, a representative of *Insider* in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the homicide investigation (assisted by HSI) of Marilyn Cazares who died on or about July 13, 2020, in Brawley, California. (Case Number 2022-ICFO-16047)
- On April 11, 2022, **Algernon D'Amassa**, a representative of *Las Cruces Sun-News* in Las Cruces, New Mexico, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the intergovernmental service agreement (IGSA) between ICE and Management and Training Corporation (MTC) over operation of the Otero County Processing Center in Chaparral, New Mexico, including modifications and amendments in effect as of April 1, 2022. (Case Number 2022-ICFO-16034)
- On April 13, 2022, **Stephen Dinan**, a representative of *The Washington Times* in Washington, D.C. requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the report transmitted to Congress on February 25, 2022, detailing deportations of former military members in Calendar Year 2019. (Case Number 2022-ICFO-16031)
- On April 25, 2022, **John Liccione**, a representative of **Russi Leaks USA** in Washington, D.C. requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to an AN-124 cargo aircraft that was photographed on the tarmac at the Tampa International Airport on October 20, 2019, and October 21, 2019. (Case Number 2022-ICFO-11962)
- On May 2, 2022, **Michael Kaufman**, a representative of **ACLU of Southern California** in Los Angeles, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the release of hospitalized detainees from custody prior to their death, records related to release of individual detainees once hospitalized, records related to the death of such detainees after their release from custody, including any communications or investigations from January 1, 2016, through the present. (Case Number 2022-ICFO-16321)
- On May 3, 2022, **Danielle Mackey**, a representative of the *New Yorker* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Transnational Anti-gang task force, also known as TAG and Centro Antipandillas Transnational also known as CAT, which is an office set up and supported by the United States government through the FBI. (Case Number 2022-ICFO-14012)



- On May 3, 2022, **Danielle Mackey**, a representative of the *New Yorker* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the leadership group of the street gang MS-13, a street gang that the United States has designated a Transnational Criminal Organization. (Case Number 2022-ICFO-14018)
- On May 3, 2022, **Danielle Mackey**, a representative of the *New Yorker* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Mauricio Arriaza Chicas, the current director of the Civilian National Police of El Salvador. (Case Number 2022-ICFO-14013)
- On May 3, 2022, **Danielle Mackey**, a representative of the *New Yorker* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Douglas Garcia Funes, a high-level official in the Civilian National Police of El Salvador and former director of an FBI-funded task force. (Case Number 2022-ICFO-14014)
- On May 3, 2022, **Danielle Mackey**, a representative of the *New Yorker* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Élmér Canales Rivera, also known as "Crook," a leader of the MS-13 street gang whom the United States has requested in extradition. (Case Number 2022-ICFO-14015)
- On May 3, 2022, **Danielle Mackey**, a representative of the *New Yorker* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Borrromeo Enrique Henríquez Sol Rzano, alias Diablito, a leader of the MS-13 street gang whom the United States has requested in extradition. (Case Number 2022-ICFO-14016)
- On May 6, 2022, **Jason Leopold**, a representative of *Buzzfeed News* in Beverly Hills, California requested from the Federal Protective Services (FPS) records pertaining to the Freedom Convoy in Canada that is also sometimes referred to as the Trucker Convoy blocking the Ambassador Bridge. (Case Number 2022-FPFO-00134)
- On May 11, 2022, **Joseph Meyers**, a representative of **The National Immigration Project of the National Lawyers Guild** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to non-citizens receiving Interpol Red Notices from January 2012 through the present. (Case Number CBP-2022-077268)
- On May 11, 2022, **Stuart Richardson**, a private individual in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to complaints and concerns submitted to U.S. Customs and Border Protection (CBP) via its online system that mention the terms bonechar, bone char, or bone black from January 2016 through the present. (Case Number CBP-2022-077316)

### III. Freedom of Information Act Releases

- On May 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Alex Weidenhof**, a representative of *The Cranberry Eagle* in Cranberry Twp, Pennsylvania, six pages of records consisting of EB-5 termination notices sent to the

EB5 Group New York Regional Center. Portions of the release were withheld pursuant to FOIA Exemption 4. (Case Number COW 2020-003624)

- On May 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Sharvari Dalal-Dheini**, a representative of **American Immigration Lawyers Association** in Washington, D.C., 1,601 pages of records pertaining to USCIS standard operating procedures pertaining to the Information Services Modernization Program. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number NRC 2019-011303)
- On May 16, 2022, U.S. Customs and Border Protection (CBP) issued to **Dana Khabbaz**, a representative with **Electronic Privacy Information Center (EPIC)**, in Washington, D.C., 34 pages of records pertaining to communications and contracts for the use of Babel Street software. Portions of this request are withheld pursuant to FOIA exemptions 4, 5, 6, 7(E), and 7(C). (Case number CBP-2022-020605)
- On May 16, 2022, U.S. Customs and Border Protection (CBP) issued to **Bryon Tau**, a journalist with **Wall Street Journal**, in Washington, District of Columbia, 34 pages of records pertaining to targeting and analysis systems program directorate referencing Babel Street, Inc. Portions of this request are withheld pursuant to FOIA exemptions 4, 5, 6, 7(E), and 7(C). (Case number CBP-2020-041951)
- On May 16, 2022, U.S. Department of Homeland Security (DHS) Privacy Office will release to **Jason Leopold**, a representative of **BuzzFeed News** in Beverly Hills, California, a no records determination in response to his request for records pertaining to the planning of protests in Washington, D.C. on January 6, 2021, by supporters of President Donald Trump. (Case Number 2019-HQLI-00027)
- On May 16, 2022, U.S. Customs and Border Protection (CBP) issued to **Matthew Drange**, a representative of **Protocol**, in San Francisco, California, 34 pages of records pertaining to Babel Street, Inc. Portions of this request are withheld pursuant to FOIA exemptions 4, 5, 6, 7(E), and 7(C). (Case number CBP-2020-037997)
- On May 16, 2022, U.S. Customs and Border Protection (CBP) issued to **Joseph Cox**, a journalist with **MuckRock News**, in Somerville, Massachusetts, 34 pages of records pertaining to legal opinions, legal guidance, legal memos mentioning or referring to location data from apps, from January 1, 2015 to the present. Portions of this request were withheld pursuant to FOIA exemptions 4, 5, 6, 7(E), and 7(C). (Case number CBP-2020-074221)
- On May 17, 2022, U.S. Customs and Border Protection (CBP) released to **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, 7 pages of records pertaining to Credibility Assessment Division polygraph referral reports from FY 2017. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-069591)
- On May 17, 2022, U.S. Customs and Border Protection (CBP) released to **Eunsik Chang**, a representative of **Mississippi State University**, in Mississippi State, Mississippi, 3 pages of records pertaining to border wall repairs and associated costs. This record was released in full. (Case number CBP-2022-074514)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Orrick, Herrington & Sutcliffe LLP v. U.S. Customs and Border Protection (CBP) (20-cv-01583)*, plaintiff filed a FOIA request on August 16, 2019, seeking records pertaining to efforts toward family reunification and the release of minors from DHS custody and facilities. On May 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released 711 pages of records to the plaintiff.
- In the matter of the *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, seeking records pertaining to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On May 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released 74 pages of records to the plaintiff.
- In the matter of *Human Rights Defense Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02291)* plaintiff filed a FOIA request on August 30, 2021, seeking records pertaining to contracts active from January 1, 2010, between ICE and eleven companies which owned, operated, or managed detention facilities. On May 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released 441 pages of records to the plaintiff.
- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to the detention of a transgender or intersex person in existence on or after January 1, 2015; records pertaining to the detention of transgender or intersex person during the COVID-19 pandemic from January 1, 2020 to present; and documents used to train employees in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention in existence on or after January 1, 2015. On May 13, 2022, U.S. Immigration and Customs Enforcement (ICE) released 501 pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-09519)*, plaintiff filed a FOIA request on August 20, 2021, seeking records pertaining to USCIS systems, manuals, policies, and training materials from January 1, 2016, through the present. On May 13, 2022, U.S. Citizenship and Immigration Services (USCIS) released 541 pages of records to the plaintiff.

- In the matter of *Skylight Engagement and American Immigration Council v. U.S. Customs and Border Protection (CBP) (21-cv-00922)* plaintiff filed a FOIA request on October 14, 2020, seeking records pertaining to three raids on No More Deaths aid station (Camp Byrd) which took place on June 15, 2017, July 31 and October 5, 2020. Plaintiff filed suit on February 19, 2021, claiming injunctive relief. On May 13, 2022, U.S. Customs and Border Protection (CBP) released 475 pages of records to the plaintiff.
- In the matter of *Reed Smith LLP v. U.S. Customs and Border Protection (CBP) (21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to the United States Border Patrol transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On May 16, 2022, U.S. Customs and Border Protection (CBP) released its fourth interim response to the plaintiff consisting of 108 pages of records.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On May 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 882 pages of records to the plaintiff.
- In the matter of *Phillips v. U.S. Department of Homeland Security (DHS)(19-cv-01971) (2019-HQLI-00027)* plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and any reports that discuss the threat of domestic terrorism. On May 16, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released its 21<sup>st</sup> interim release consisting of 114 pages of records, 39 pages are released in full, 21 pages are withheld in part, and 54 pages are withheld in full pursuant to FOIA exemption 5 and 6.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01957) (2018-HQLI-00039)*, plaintiff filed a FOIA request on August 21, 2018, seeking records dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On May 16, 2022, the Department of Homeland Security (DHS) Privacy Office released the 42<sup>nd</sup> interim response, consisting of 27 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523)*, plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to emails sent or received by USCIS ombudsman Julie Kirchner, notes and meeting minutes prepared by or for Ms. Kirchner in preparation for any meeting she attended and Ms. Kirchner's phone call log. On May 16, 2022, the Department of Homeland Security (DHS) Privacy Office released the 40<sup>th</sup> interim response, consisting of 243 pages of records to the plaintiff.
- In the matter of *CREW v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-00708)*, plaintiff filed a FOIA request on March 17, 2021, seeking records

pertaining to any immigrant detained at Adams County Correctional Center (ACCC) who was subjected to violence, including threats, and being choked, beaten, and pepper-sprayed, or being forced to sign their own deportation orders from January 1, 2017, through the present. On May 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3 videos of records to the plaintiff.

- In the matter of *American Civil Liberties Union of Northern California v. Immigration and Customs Enforcement (ICE) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On May 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 404 pages of records to the plaintiff.
- In the matter of *Rapid Defense Network and Transgender Law Center v. Immigration and Customs Enforcement (ICE) (21-cv-06788)*, plaintiff filed FOIA requests on August 6, 2018, pertaining to records arising from two FOIA requests filed with ICE on April 19, 2021, that sought records regarding transgender detainee segregation and PREA repo. On May 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 341 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-2168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to written reports referred to in the subsection titled “Weekly Reporting of All Enforcement and Removal Actions” in a memorandum from Tae D. Johnson to “All ICE Employees”. On May 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel sheet to the plaintiff.
- In the matter of *The Center for Investigative Reporting v. U.S. Department of Homeland Security (DHS) (21-cv-09633)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On May 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 247 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On May 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 506 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) pursuant to the Johnson memorandum. On May 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel sheet to the plaintiff.
- In the matter of *American Oversight v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-00652)*, plaintiff filed a FOIA request on November 8, 2019, seeking

records pertaining to the transfer of responsibility for credible fear interviews from asylum officers within USCIS to law enforcement agents within U.S. Customs and Border Patrol (CBP). On May 17, 2022, U.S. Citizenship and Immigration Services (USCIS) released 25 pages of records to the plaintiff.

- In the matter of *Clergy and Laity United for Economic Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01214)*, plaintiff filed a FOIA request on August 4, 2020, seeking records pertaining to credible fear of persecution or torture interviews and all training material shared with officers conducting credible fear interviews dated on or after January 1, 2019. On May 17, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,093 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
May 19, 2022 – May 25, 2022  
DHS Privacy Office  
May 31, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On May 19, 2022, **Jonathan Phippen**, a representative of *Mission Critical Productions* in Santa Fe, New Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP’s involvement in the Campaign for Security and Prosperity (CSP), also referred to as the “Safety and Prosperity Campaign,” from May 1, 2016, to December 31, 2018. (Case Number CBP-2022-081384)
- On May 20, 2022, **Jacques Billeaud**, a representative of *The Associated Press* in Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to the investigative reports, body-worn camera video footage, and/or dashboard video from January 3, 2016, encounter during which an individual was allegedly driving while intoxicated on Interstate 10 and led authorities on a vehicle chase. (Case Number CBP-2022-081745)
- On May 20, 2022, **Ryan Kruger**, a representative of *WFTX-TV* in Fort Myers, Florida, requested from the Transportation Security Administration (TSA) records pertaining to passenger property loss claims at several U.S. airports including the estimated value reported by the passenger from January 1, 2019, to January 1, 2022. (Case Number 2022-TSFO-00592)
- On May 20, 2022, **Anna C. Franco**, a representative of *Places Journal* in New Orleans, Louisiana, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to immigration arrests, document checks, or officer visits that occurred at a private location in New Orleans, Louisiana, between August 2020 and September of 2020. (Case Number COW 2022-002611)
- On May 21, 2022, **Edward Stanback**, a private individual in Elgin, Illinois, requested from U.S. Customs and Border Protection (CBP) records pertaining to the names, titles, and qualifications to approve or deny accommodation requests and the contact information for individuals selected/employed by your agency to determine the validity of an employee's religious views or medical diagnosis that prevent them from receiving any mandated vaccine. (Case Number CBP-2022-082016)
- On May 23, 2022, **Sarah McBride**, a representative of *Bloomberg News* in New York, New York, requested from the Transportation Security Administration (TSA)



records pertaining to calendar entries and correspondences between employees at The Boring Company and the U.S. Department of Homeland Security from January 1, 2021, through the present. (Case Number 2022-TSFO-00591)

- On May 23, 2022, **Andrew Free**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from the Office of Inspector General (OIG) records pertaining to the February 2017 on-site inspection of ICE's Stewart Detention Center in Lumpkin, Georgia. (Case Number 2022-IGFO-00173)
- On May 23, 2022, **Willis Robinson**, a representative of *DailyMail.com* in New York, New York, requested from the Office of Inspector General (OIG) records pertaining to the salaries, email correspondences, and meeting minutes for members of the Disinformation Governance Board from January 1, 2022, through the present. (Case Number 2022-IGFO-00172)

#### **Late Requests:**

- On June 17, 2021, **Ann Miller**, a representative of *Sinclair Broadcast Group* in Cockeysville, Maryland, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to COVID-19 testing and the relocation of illegal migrants at the southern border since January 1, 2021. (Case Number 2021-ICFO-36819)
- On October 14, 2021, **Jose Olivares**, a representative of *The Intercept* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to hotline calls made to ICE's Detention Reporting and Information Line (DRIL), regarding the Stewart Detention Center in Lumpkin, Georgia, from March 2020 through the present. (Case Number 2022-ICFO-16761)
- On October 15, 2021, **Jose Olivares**, a representative of *The Intercept* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Office of Professional Responsibility investigation reports related to use-of-force incidents and correctional officers' social media conduct on April 9, 2020, and April 20, 2020, at Stewart Detention Center. (Case Number 2022-ICFO-16764)
- On May 17, 2022, **Christopher Pinkerton**, a private individual in Lee's Summit, Missouri, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the immigration records of the former Secretary of State Madeleine Albright. (Case Number COW 2022-002527)

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

- On May 20, 2020, U.S. Citizenship and Immigration Services (USCIS) released to **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, 36 pages of records pertaining to closed Office of Inspector General (OIG) investigations, audits, inspections, and special reviews related to case number 2019-IGFO-00185. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number COW 2020-001032)
- On May 20, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **David Bixenspan**, a representative of *MEL Magazine* in Marina del Ray, California,

92 pages of records pertaining to the Alien File of Hana Kimura, a former Japanese professional wrestler. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number COW 2021-005151)

- On May 23, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Alec S. Ferretti**, a private individual in New York, New York, 59 pages of records pertaining to the Alien File of the late former “Jeopardy!” Host Alex Trebek. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number COW 2022-000913)
- On May 23, 2022, the Transportation Security Administration (TSA) released to **Kelly Yamanouchi**, a representative of *The Atlanta Journal-Constitution* in Atlanta, Georgia, 3 pages of records pertaining to civil penalties assessed and paid for related to firearms confiscated at Hartsfield-Jackson Atlanta International Airport (ATL) from January 1, 2021, through December 31, 2021. These records were released in full. (Case Number 2022-TSFO-00268)
- On May 25, 2022, U.S. Customs and Border Protection (CBP) released to **Paul Ingram**, a representative of the *Tucson Sentinel* in Tucson, Arizona, 27 pages of records pertaining to emails between CBP and the National Park Service regarding the Pima and Cochise Counties Border Infrastructure Projects and the Quitobaquito Springs from February 2019 to August 2019. Portions of this release were withheld pursuant to FOIA exemptions 3, 6, 7(C), and 7(E). (Case number CBP-2019-080261)
- On May 25, 2022, U.S. Customs and Border Protection (CBP) issued to **Austin Evers**, a representative of *American Oversight* in Washington, D.C., a no records response regarding his request for records pertaining to final directives, orders, decision memoranda, analyses, or guidance regarding the creation of the Office of Immigration Detention. (Case number CBP-2020-054602)
- On May 25, 2022, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a private individual in Salt Lake City, Utah, 104 pages of records pertaining to the “Trust Betrayed” case and the corruption-related case tracking data. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-036491)
- On May 25, 2022, U.S. Customs and Border Protection (CBP) released to **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, 7 pages of records pertaining to allegations and complaints of sexual misconduct committed by or perpetrated against Border Patrol agents from 2000 through the present. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(A), 7(C), and 7(E). (Case number CBP-2022-033944)

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

- Nothing significant to report.

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

- Nothing significant to report.

## VI. Litigation

- In the matter of *Jason Leopold and BuzzFeed v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On May 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 707 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye and NBC Universal Media v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-00280)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On May 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 707 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924As filed by EB-5 Regional Centers for FY 2017. On May 20, 2022, U.S. Citizenship and Immigration Services (USCIS) released 170 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection (CBP) (18-cv-01390)* plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to policies, procedures, and practices used by CBP personnel to process noncitizens who are seeking asylum and/or express a fear of returning to their home countries since January 2016. Plaintiff filed suit on June 14, 2018, claiming injunctive relief. On May 20, 2022, U.S. Customs and Border Protection (CBP) issued its twentieth interim response consisting of 86 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection (CBP) (18-cv-01390)* plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to policies, procedures, and practices used by CBP personnel to process noncitizens who are seeking asylum and/or express a fear of returning to their home countries since January 2016. Plaintiff filed suit on June 14, 2018, claiming injunctive relief. On May 23, 2022, U.S. Customs and Border Protection (CBP) issued its twenty-first interim response consisting of 178 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office, including all sub-offices, between January 1, 2017, through the present. On May 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 194 pages of records to the plaintiff.
- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly operational summary Safety Reports filed by contractors

working with ICE Air Operations (IAO) from 2003 through the present and records related to alleged misconduct by IAO employees between 2003 through the present. On May 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 177 pages of records to the plaintiff.

- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-10407)* plaintiff filed a FOIA request on January 31, 2022, seeking records pertaining to any guidance provided to the Office of the Principal Legal Advice (OPLA) and/or the Office of the Chief Counsel (OCC) attorneys that are currently in effect to include emails and other electronic documents currently created. On May 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 613 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to the conditions of detention centers and the medical treatment of individuals held in detention by ICE. On May 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 439 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-00290)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants and visa applicants' social media information for the purpose of conducting extreme vetting. On May 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 262 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)*, plaintiff filed a FOIA request on October 14, 2021, seeking records pertaining to communications between ICE, Charles R. Greene, Honorary Consul of Embassy of the Republic of Cameroon, and Bryan Cox, then-ICE Press Secretary, regarding Cameroon, Cameroonians, or the removal of Cameroonians to Cameroon. On May 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 323 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection (CBP) (18-cv-01390)* plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to policies, procedures, and practices used by CBP personnel to process noncitizens who are seeking asylum and/or express a fear of returning to their home countries since January 2016. Plaintiff filed suit on June 14, 2018, claiming injunctive relief. On May 24, 2022, U.S. Customs and Border Protection (CBP) issued its twenty-second interim response consisting of 202 pages of records to the plaintiff.
- In the matter of *The Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to handbooks, memorandums, and training materials related to Homeland Security Investigations (HSI) handbooks issued from January 21, 2017, through the present. On May 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 500 pages of records to the plaintiff.

- In the matter of *Americans for Prosperity Foundation v. U.S. Citizenship and Immigration Services (USCIS) (22-cv-01140)* plaintiff filed a FOIA request on March 10, 2022, seeking records pertaining to the results of the “Known Employer” pilot project from January 1, 2015, through the present. On May 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released 33 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Department of Homeland Security (DHS) (20-cv-10083) (2021-HQLI-00005)*, plaintiff filed a complaint on December 2, 2020, seeking records pertaining to agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On May 26, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the April interim response, consisting of 178 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
May 26, 2022- June 1, 2022  
DHS Privacy Office  
May 6, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On May 26, 2022, **Linda Evarts**, a representative of the **International Refugee Assistance Project** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Afghan nationals who sought entry to the United States after the withdrawal from Afghanistan in 2021. In addition, the number of Afghan nationals who have been, are, or will be denied entry or required to depart the United States, and how many will be returned to Afghanistan. (Case Number COW 2022-002647)
- On May 26, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications between several USCIS officials and Senator Ted Cruz, or any member of Senator Cruz's staff, from January 3, 2013, through the present. (Case Number COW 2022-002651)
- On May 26, 2022, **Gerald Stukel**, a private individual in Arlington, Virginia, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to immigration and asylum records for U.S. Representative Ilhan Abdullahi Omar and communications mentioning "Ilhan Abdullahi Omar", or any variations thereof from January 1, 1991, through December 31, 1997. (Case Number MRC 2022-002416)
- On May 26, 2022, **Caleb Miller**, a private individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to email communications sent between USCG employees regarding an individual's COVID status while assigned to a Base in Honolulu from May 25, 2022, through May 27, 2022. (Case Number 2022-CGFO-01717)
- On May 26, 2022, **Caleb Miller**, a private individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to guidance on writing Command Endorsements for subordinates' Religious Accommodation Requests. (Case Number 2022-CGFO-01718)
- On May 26, 2022, **Rick Jervis**, a representative of **USA Today** in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to investigations and reports of CBP employees and Border Patrol Tactical Unit

(BORTAC) agents relating to the Robb Elementary School mass shooting in Uvalde, Texas on May 24, 2022. (Case number CBP-2022-084019)

- On May 26, 2022, **Joyce Lee**, a representative of *The Washington Post* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to drone footage captured by CBP border patrol agents who responded to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-084125)
- On May 26, 2022, **Jackie Botts**, a representative of *Reuters News* in Mexico City, Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to incident reports of CBP Southwest Land Border drug seizures from Border Patrol and the Office of Field Operations (OFO) from January 1, 2012, through the present. (Case number CBP-2022-084148)
- On May 26, 2022, **Joshua Eaton**, a representative of *NBC News* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to body cameras and audio recordings from CBP officers responding to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-084262)
- On May 26, 2022, **Zachary German**, a private individual in Redmond, Washington, requested from U.S. Customs and Border Protection (CBP) records pertaining to body camera footage from CBP agents who entered or engaged with the Robb Elementary School's shooter in Uvalde, Texas, on May 25, 2022. (Case number CBP-2022-084449)
- On May 26, 2022, **Cesar Garcia Hernandez**, a representative of the **Ohio State University College of Law** in Columbus, Ohio, requested from U.S. Customs and Border Protection (CBP) records pertaining to border patrol agents who have died because of homicide or suicide, from October 1, 2010, to present. (Case number CBP-2022-083990)
- On May 26, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to email communications between CBP custodians, Senator Ted Cruz, and his staff, from January 3, 2013, through the present. (Case number CBP-2022-084312)
- On May 27, 2022, **Mark Williams**, a representative of **LJDFA** in Glendale, California, requested from the United States Coast Guard (USCG) records pertaining to USCG FORM 2692 submitted for the Conception dive boat fire event of September 2, 2019. (Case Number 2022-CGFO-01728)
- On May 27, 2022, **Jessica Kegun**, a representative of *CBS News* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to reports, body cameras, and audio recordings from CBP officers responding to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-084575)



- On May 27, 2022, **John Greenwald**, a representative of *The Black Vault* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to emails for retired U.S. border patrol agent Robert “Bob” Thompson, regarding unidentified flying objects. (Case number CBP-2022-084618)
- On May 28, 2022, **Allen Glines**, a private individual in Ogden, Utah, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-084966)
- On May 29, 2022, **Donnie Fetter**, a representative of *USA Today Network* in Savannah, Georgia, requested from the United States Coast Guard (USCG) records pertaining to recordings from either 911 calls or radio transmissions received by the U.S. Coast Guard regarding a boating collision on the Wilmington River near Savannah, Georgia on from May 28, 2022. (Case Number 2022-CGFO-01731)
- On May 29, 2022, **Rich Saltzberg**, a representative of *The Martha’s Vineyard Times* in Vineyard Haven, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to investigatory or post investigatory reports regarding the 2020 vehicular fatalities associated with the ferry Pelican. (Case Number 2022-CGFO-01730)
- On May 30, 2022, **Curt Devine**, a representative of *CNN* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to incidents and after-action reports, relating to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-085101)
- On May 30, 2022, **Curt Devine**, a representative of *CNN* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) all body cameras and dash-camera videos from CBP officers responding to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-085102)
- On May 31, 2022, **Christina Vazquez**, a representative of *WPLG* in Miami, Florida, requested from the United States Coast Guard (USCG) records pertaining to the license from the US Coast Guard as well as any safety violations on record for Lighthouse Parasail, Inc. (Case Number 2022-CGFO-01735)
- On May 31, 2022, **Mike Baker**, a representative of *The New York Times* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to reports, body cameras, and audio recordings from CBP officers responding to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-085390)
- On May 31, 2022, **Tina M. Macias**, a representative of *KHOU 11News* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to body cameras, audio recordings, and CBP agents’ names, who responded to the Robb Elementary School mass shooting in Uvalde, Texas on May 24, 2022. (Case number CBP-2022-085514)
- On May 31, 2022, **Veronica A. Martinez**, a representative of *La Verdad* in El Paso, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the statistical data related to Title 42 exceptions granted to asylum seekers entering

through the El Paso Sector from April 1, 2022, through May 31, 2022. (Case number CBP-2022-085580)

- On May 31, 2022, **Katie Bo Lillis**, a representative of *CNN* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to the company Five Stones Intelligence, Inc., from January 1, 2019, through the present. (Case number CBP-2022-085737)
- On May 31, 2022, **Katie Bo Lillis**, a representative of *CNN* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to the company Bob Baffert Racing Stables Inc., from January 1, 2019, through the present. (Case number CBP-2022-085734)
- On May 31, 2022, **Katie Bo Lillis**, a representative of *CNN* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to the company Equestrology from January 1, 2019, through the present. (Case number CBP-2022-085741)
- On June 1, 2022, **Matt Novak**, a representative of *Gizmodo* in Mount Lawley, Western Australia, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to invoices sent and received by ICE to and from Unicor, also known as Federal Prison Industries, from June 1, 2020, through the present. (Case Number 2022-ICFO-17754)

#### **Late Requests:**

- On June 14, 2021, **Samantha Lee**, a representative of *Vox Media*, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to photos or video of the raids in Saratoga Springs, New York, on September 11, 2017, and the raids at the Indiana Grand Racing and Casino in Shelbyville, Indiana on June 23, 2017. (Case Number 2022-ICFO-17728)
- On April 17, 2022, **Andrew Free**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the total number and/or percentage of FOIA requests the agency failed to acknowledge and assign an individualized tracking number within the statutorily provided period of ten working days during Fiscal Years 2018-2021. (Case Number 2022-ICFO-17731)
- On April 18, 2022, **Tonya Riley**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to DHS' use of "iProov" facial recognition technology from December 13, 2021, to April 15, 2021. (Case Number 2022-ICFO-17734)
- On April 20, 2022, **Andrew Free**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to contract discrepancy report papers ICE provided to the Government Accountability Office (GAO) and correspondences between GAO and

ICE regarding actions needed to improve planning, documentation, and oversight of detention facility contracts. (Case Number 2022-ICFO-17740)

- On April 20, 2022, **Joseph Cox**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to invoices, purchases orders, contracts, loan agreements, procurement documents relating to an awarded government contract. (Case Number ICE 2022-ICFO-17738)
- On April 26, 2022, **Joseph Cox**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the most recent Loss, Damaged, or Destruction (LDD) List. (Case Number 2022-ICFO-17742)
- On April 27, 2022, **Gabriel Greschler**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to communications with the Santa Clara County Sheriff's Department between May 1, 2021, and Oct. 27, 2021, related to the use of automated license plate readers. (Case Number 2022-ICFO-17745)
- On April 27, 2022, **Andrew Free**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to calendar entries reflecting any meeting, call, or other event attended or hosted by the ICE FOIA Office or ICE headquarters personnel regarding efforts to reduce the agency's FOIA backlog from January 2022 through the present. (Case Number 2022-ICFO-18008)
- On May 3, 2022, **AJ Vicens**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to Homeland Security Investigations' April 12, 2022, announcement related to the disruption of a cyber-attack on an underwater cable linking Hawaii and the Pacific Region to critical telecommunications, including the internet, cable service, and cell phones. (Case Number 2022-ICFO-17748)
- On May 4, 2022, **Austin Rose**, a representative of **Capital Area Immigrants' Rights Coalition** in Washington, D.C., requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE policies and practices related to the custody of non-citizens granted withholding of removal or protection under the Convention Against Torture in immigration court. (Case Number 2022-ICFO-17726)
- On May 17, 2022, **Hannah Rappleye**, a representative of *NBC News Investigative Unit* in Shelburne Falls, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to David Leavitt, prosecutor for Utah County, Utah, to include emails and text messages sent and received by Homeland Security Investigations (HSI) and DHS Office of Inspector General (OIG) between December 1, 2019, through the present and any administrative manuals, regulations, policies and OIG audits concerning the implementation and oversight of Human Trafficking, produced and maintained by DHS/HSI within the last 10 years. (Case Number 2022-ICFO-18122)

- On May 25, 2022, **Caroline Ghisolfi**, a representative of *Austin-American Statesman* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to communication records sent or received from any individuals associated with the Robb Elementary School shooting in Uvalde, Texas. (Case number CBP-2022-083593)
- On May 25, 2022, **Andrew Free**, a representative of *MuckRock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE FOIA's affirmative releases and proactive disclosures under the Beetlejuice Provision. (Case Number 2022-ICFO-17750)
- On May 25, 2022, **Joshua Eaton**, a representative of *NBC News* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to incident reports including use of force and after actions from the Border Patrol Tactical Units in response to the Robb Elementary School shooting in Uvalde, Texas. In addition, video and audio recordings of Commissioner Chris Magnus's remarks to staff in Uvalde, Texas, from May 24-25, 2022. (Case number CBP-2022-083795)
- On May 25, 2022, **Joyce Lee**, a representative of *The Washington Post* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to body cameras from border patrol agents who responded to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-083435)
- On May 25, 2022, **Joyce Lee**, a representative of *The Washington Post* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to audio communications from border patrol agents relating to the Robb Elementary School mass shooting in Uvalde, Texas on May 24, 2022. (Case number CBP-2022-083422)
- On May 25, 2022, **Jon G. Swaine**, a representative of *The Washington Post* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to radio recordings and incident reports relating to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-083369)
- On May 25, 2022, **Andrew Free**, a representative of *MuckRock News* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the calendar entries and records of affirmative releases and proactive disclosures and any guidance issued for FOIA Analysts regarding identification that are potentially subject to proactive release as it relates to the "Beetlejuice Provision". (Case number CBP-2022-083887)
- On May 25, 2022, **Ann Miller**, a representative of the **Sinclair Broadcast Group** in Cockeysville, Maryland requested from U.S. Customs and Border Protection (CBP) records pertaining to COVID-19 testing and relocation of illegal immigrants at the southern border, from January 1, 2021, through the present. (Case number CBP-2022-083535)

- On May 25, 2022, **James Dobbins**, a private individual in San Antonio, Texas requested from U.S. Customs and Border Protection (CBP) Office of Professional Responsibility (OPR) records pertaining to investigations related to horse patrol activity in Del Rio, Texas, from September 1, 2021, to April 4, 2022. (Case number CBP-2022-083342)
- On May 25, 2022, **Niccole Kunshek**, a representative of **KENS 5 TV** in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to body and dash camera videos regarding the Robb Elementary School mass shooting in Uvalde, Texas on May 24, 2022. (Case number CBP-2022-083409)

### III. Freedom of Information Act Releases

- On May 27, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Ian Head**, a representative of the **Open Records Project at the Center for Constitutional Rights** in New York, New York, 64 pages of records pertaining to formal guidance, directives, instructions, or memoranda provided to or used by adjudicators in making public charge determinations for applicants for adjustment of status based upon family and employment-based petitions. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2022-002372)
- On May 27, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Evan Butts**, a representative of the **Villanova Law School** in Philadelphia, Pennsylvania, 3 pages of records pertaining to email communications mentioning COVID-19 or Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) from officers or employees of the Executive Office of the President (EOP) to either the Director of the Center for Disease Control Dr. Robert R. Redfield or his Principal Deputy Director Dr. Anne Schuchat. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2022-HQFO-00603)
- On May 27, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Eric Jacobsen**, a representative of the **South Royalton Legal Clinic** in South Royalton, Vermont, 57 pages of records pertaining to policy memoranda or guidance related to the Controlled Application Review and Resolution Program. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number NRC 2018-067674)
- On May 27, 2022, U.S. Customs and Border Protection (CBP) released to **Stan Alcorn**, a representative of the **Center for Investigative Reporting** in Oakland, California, 365 pages of records pertaining to the Consequence Delivery System briefings. Portions of this request were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2018-081916)
- On May 31, 2022, the United States Secret Service (USSS) released to **Andre Freeman** a representative of **Brown, Goldstein and Levy LLP.**, in Baltimore, Maryland, 168 pages of records in full, and 637 pages were withheld in their entirety pertaining to the identity of all USSS officers and agents on duty at or around 16th & H Street, NW in Washington, D.C. on May 31, 2020, including the equipment the

officer/agent carried. Additionally, training materials that were used by DHS and/or USSS to respond to protestors and rioters.

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

- On June 1, 2022, **Joyce Lee**, a representative of *The Washington Post* in Washington, D.C., appealed the decision by U.S. Customs and Border Protection (CBP) that denied her request for expedited treatment related to her requests for drone footage in the custody of, possession of, or filmed by CBP agents who responded to the mass shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. (Case Number CBP-AP- 2022-085836)
- On June 1, 2022, **Joyce Lee**, a representative of *The Washington Post* in Washington, D.C., appealed the decision by U.S. Customs and Border Protection (CBP) that denied her request for expedited treatment related to her requests for video from body cameras from CBP agents who responded to the mass shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. (Case Number CBP-AP-2022-085839)
- On June 1, 2022, **Joyce Lee**, a representative of *The Washington Post* in Washington, D.C., appealed the decision by U.S. Customs and Border Protection (CBP) that denied her request for expedited treatment related to her requests for audio communications from CBP agents on May 24, 2022, at 9 a.m. related to the mass shooting at the Robb Elementary School in Uvalde, Texas. (Case Number CBP-AP-2022-085841)

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of the *American Civil Liberties Union v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-03204)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to handbooks, memorandums, and training materials related to Homeland Security Investigations (HSI) handbooks issued from January 21, 2017, through the present. On May 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 500 pages of records to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06239)*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On May 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 17 pages of records to the plaintiff.
- In the matter of *Jesus Vidal-Martinez v. U.S. Immigration and Customs Enforcement (ICE)(21-cv-06177)*, plaintiff filed a FOIA request on December 29, 2020, seeking records pertaining to communications sent between ICE and Decatur

County Sheriff and between ICE and the U.S. Department of Justice related to Jesus Vidal-Martinez. On May 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 94 pages of records to the plaintiff.

- In the matter of *American Oversight v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to final talking points prepared for Secretary Nielsen regarding the MPP and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana, and the expansion of the protocol to additional ports of entry. On May 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 234 pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project, Inc. v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of State (DOS) (19-cv-08905)*, plaintiff filed a FOIA request on May 30, 2019, seeking records pertaining to the most recent versions of the Refugee, Asylum, and International Operations (RAIO) Directorate Combined Training Course. On May 26, 2022, the United States Citizenship and Immigration Services (USCIS) released 73 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS)(21-cv-01925)*, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act. On May 27, 2022, the United States Citizenship and Immigration Services (USCIS) released 120 pages of records to plaintiff.
- In the matter of *Martin Vargas v. U.S. Immigration and Customs Enforcement (ICE)(22-cv-00287)* plaintiff filed a FOIA request on March 10, 2022, seeking records pertaining to communications concerning medical treatment and COVID related to Martin Vargas Arellano. On May 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 181 pages of records to the plaintiff.
- In the matter of *Electronic Frontier Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-01957)*, plaintiff filed a FOIA request on March 28, 2022, seeking records pertaining to agreements with SRA International pursuant to the Visa Lifecycle Vetting Initiative (VLVI) this includes but is not limited to agreements pursuant to two Blanket Service Agreements (BPAs). On May 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 198 pages of records to the plaintiff.
- In the matter of *Los Angeles Times Communications LLC v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE Office of Professional Responsibility (OPR) Investigation Closing Reports related to sexual misconduct allegations at dedicated Enforcement and Removal Operations (ERO) facilities. On May 27, 2022, the U.S. Immigration and Customs Enforcement (ICE) released 8,901 pages of records to the plaintiff.

- In the matter of *American Immigration Center v. U.S. Department of Homeland Security (DHS) (19-cv-02965) (2020-HQLI-00005)*, plaintiff filed a complaint on October 2, 2019, seeking records pertaining to the usage of U.S. Customs and Border Protection (CBP) officers to conduct Credible Fear Interviews (CFI) or Reasonable Fear Interviews (RFI), and training related to CBP officers conducting CFI's or RFI's. On May 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 2 pages of records to the plaintiff.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants. On May 31, 2022, U.S. Citizenship and Immigration Services (USCIS) released 655 pages of records to the plaintiff.
- In the matter of *Knight First Amendment Institute at Columbia University v. Department of Homeland Security (DHS) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to vetting policies, and the government's understanding of its authority to base immigration decisions on individuals' speech, beliefs, or associations. On May 31, 2022, Immigrations and Customs Enforcement (ICE) released 303 pages of records to the plaintiff.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States' treatment of Mexican journalist Emilio Gutierrez-Soto, his son, Oscar Emilio Gutierrez-Soto, and their attorney, Eduardo Beckett. On May 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 147 pages of records to the plaintiff.
- In the matter of *Sierra Club v. U.S. Customs and Border Protection (CBP) (17-cv-05273)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On May 31, 2022, U.S. Customs and Border Protection (CBP) issued its thirty-seventh interim release consisting of 290 pages of records to the plaintiff.
- In the matter of *RAICES v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed FOIA requests on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas. On May 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released a 51-minute video clip to the plaintiff.
- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01291)*, plaintiff filed FOIA requests on February 28, 2022, seeking records pertaining to ICE's Intensive Supervision Appearance Program (ISAP) including records pertaining to the participation of Alban Nganbou, in the ISAP program. On



May 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 93 pages of records to the plaintiff.

- In the matter of *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-10660)*, plaintiff filed a FOIA request on December 19, 2019, seeking records pertaining to the creation, implementation, or oversight of Population Management, Alternative to Detention (ATD), and other supervision programs. On June 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 252 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS) (18-cv-01531) (2018-HQLI-00036)*, plaintiff filed a complaint on June 27, 2018, seeking records pertaining to the separation of adult family members from minor children, complaints referencing family separation received by the agencies, data capturing the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On June 1, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 502 pages of records to the plaintiff.
- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)*, plaintiff filed a complaint on December 3, 2021, seeking records pertaining to DHS policy on immigration detention practices (release rather than detain) and records that discuss actions or plans concerning immigration detention capacity, including any plans to reduce capacity. On June 1, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 407 pages of records to the plaintiff.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Department of Homeland Security (DHS)(21-cv-10486)*, plaintiff filed a FOIA request on March 22, 2021, seeking records pertaining to the implementation of the Nationwide Policy and National Qualified Representative Program (NQRP) by the U.S. Department of Homeland Security (DHS), the U.S. Immigration and Customs Enforcement (ICE), and the U.S. Customs and Border Protection (CBP) to provide enhanced procedural protections to certain unrepresented and detained individuals in removal proceedings with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On June 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 4 pages of records to the plaintiff.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to the creation, implementation, or oversight of supervision programs including Intensive Supervision Appearance Program (ISAP) and the ATD Case Management Pilot Program from December 19, 2019, through the present. On June 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 212 pages of records to the plaintiff.
- In the matter of *Open Society Justice Initiative v. U.S. Department of Homeland Security (DHS) (20-cv-06359) (2021-HQLI-00001)* plaintiff filed a FOIA request on June 24, 2020, seeking records pertaining to communications between White House

staff and DHS officials related to SARS-CoV-2 or COVID-19 created on or after December 1, 2019. On June 2, 2022, the Department of Homeland Security (DHS) Privacy Office released 1,888 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
June 2, 2022- June 8, 2022  
DHS Privacy Office  
June 13, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On June 2, 2022, **Jason Koebler**, a representative of *MuckRock News*, in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-086513)
- On June 2, 2022, **Caroline Ghisolfi**, a representative of *Austin-American Statesman - Gannett*, in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to radio communications regarding the Robb Elementary School shooting in Uvalde, Texas. (Case number CBP-2022-086894)
- On June 2, 2022, **Lauren Etter**, a representative of *Bloomberg News*, in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the scheduled meetings and appointments for CBP Executive Assistant Director Todd Owen, CBP Executive Assistant Director William Ferrara, and Customs Trade Partnership Against Terrorism (CTPAT) director Manuel Garza, from June 1, 2019 to December 31, 2019. (Case number CBP-2022-087001)
- On June 3, 2022, **Andrew Free**, a representative of *MuckRock News*, in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-087055)
- On June 3, 2022, **Jingnan Huo**, a representative of the *National Public Radio*, in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-087095)
- On June 3, 2022, **Gina Castro**, a representative of **San Francisco State University**, in Novato, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the names and ages of children detained and separated from their families at the US-Mexico border during former President Donald Trump's presidency. Including where they were deported and what facility they were being held. (Case number CBP-2022-087111)
- On June 3, 2022, **Brandon Frank**, a representative of **Joerns Healthcare** in Clover, South Carolina, requested from the United States Coast Guard (USCG) records

pertaining to the USCG Student Guide for the USCG Apprentice Leadership Program (ALP). (Case Number 2022-CGFO-01789)

- On June 3, 2022, **Sofia Mejias-Pascoe**, a representative of *inewssource*, in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to emails, memos and daily situational reports between March 1, 2020 and March 31, 2022 regarding, referencing and/or discussing the migrant encampment at the El Chaparral plaza border crossing in Tijuana and/or the PedWest pedestrian crossing. (Case number CBP-2022-087198)
- On June 3, 2022, **Jason T. Bramow**, a representative of the **Office of the Attorney General for the State of Texas**, in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications, training materials, and directives regarding the "Operation Lone Star" implemented by the State of Texas. (Case number CBP-2022-087296)
- On June 3, 2022, **Dominick Sokotoff**, a private individual in San Diego, California, requested from the Transportation Security Administration Security (TSA) records pertaining to the number of property damage claims approved and denied and the grounds on which they were denied by the TSA from 2018 through 2020. (Case Number 2022-TSFO-00626)
- On June 5, 2022, **Andy Cole**, a representative of *WJCL 22 NEWS* in Savannah, Georgia, requested from the United States Coast Guard (USCG) records pertaining to the Coast Guard personnel records related to an individual and Coast Guard video footage from the May 5, 2022 boat crash on the Wilmington River in Savannah, Georgia. (Case Number 2022-CGFO-01781)
- On June 6, 2022, **Richard Strahan**, a representative of **Calm Earth Corporation** in Milford, New Hampshire, requested from the United States Coast Guard (USCG) records pertaining to incidents of USCG ships striking whales from 1998 - 2022. (Case Number 2022-CGFO-01782)
- On June 6, 2022, **Brian New**, a representative of *KTVT*, in Frisco, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-087940)
- On June 7, 2022, **Cassandra Compere**, a representative of **IDI** in Boca Raton, Florida, requested from the United States Coast Guard (USCG) records pertaining to the United States Coast Guard Academy record keeping system for the Spring 2016 – Fall 2021 semesters. (Case Number 2022-CGFO-01794)
- On June 7, 2022, **Andrew Free**, a representative of *MuckRock News*, in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) Requesting all CBP processing notes and other agency records created in response to the Freedom of Information Act request assigned tracking number CBP-2022-087055. (Case number CBP-2022-088923)
- On June 7, 2022, **Caleb Miller**, a private individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to data statistics on the number of active duties, reserve, and civilian employee USCG members COVID status to include

data to show which of these cohorts have had subsequent re-infections or multiple infections, and the number of occurrences of re-infection. (Case Number 2022-CGFO-01791)

- On June 7, 2022, **Caleb Miller**, a private individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to data statistics on the number of Religious Accommodation Requests that have been approved cumulatively from the date of first record of a Religious Accommodation being approved in the USCG, until August 30, 2021. (Case Number 2022-CGFO-01792)
- On June 7, 2022, **Caleb Miller**, a private individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to the data statistics on the number of Religious Accommodation Requests that have been approved in the USCG cumulatively from August 30, 2021 to June 7, 2022. (Case Number 2022-CGFO-01793)
- On June 8, 2022, **Jessica Larche**, a representative of *WTKR News 3* in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the most recent inspection report for the SPIRIT OF NORFOLK. (Case Number 2022-CGFO-01797)

#### **Late Requests:**

- On May 19, 2022, **Parker Asmann**, a representative of *InSight Crime* in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the completed "Safe Third Country Agreement" document that Guatemalan authorities filled out and sent back to the US government between January 1, 2019, through July 31, 2019. (Case Number COW 2022-002744)
- On May 20, 2022, **Nimra H. Azmi**, a representative of *Last Week Tonight* in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications and correspondence between and among the U.S. Department of Homeland Security (DHS), USCIS, U.S. Department of Justice (DOJ), Universal, and Lee Greenwood regarding the use of Mr. Greenwood's song "God Bless the USA". (Case Number COW 2022-002783)
- On May 29, 2022, **Abby Lawing**, a representative of *CBS 4 News* in Miami, Florida, requested from the United States Coast Guard (USCG) records pertaining to the incident report regarding a vehicle overboard and the loss of two lives aboard the passenger ferry PELICAN at the Port of Miami, Florida, on February 18, 2020. (Case Number 2022-CGFO-01777)
- On June 1, 2022, **Nick Bauer**, a representative of **The Democratic National Committee** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications between former U.S. Representative Will Hurd, any member of Hurd's staff, and USCIS officials from January 3, 2015, through January 3, 2021. (Case Number COW 2022-002711)

- On June 1, 2022, **Nick Bauer**, a representative of **The Democratic National Committee** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to email communications between CBP officials, Representative Will Hurd and members of Hurd’s staff from January 3, 2015, through January 3, 2021. (Case number CBP-2022-086009)
- On June 01, 2022, **Debbie Nathan**, an individual in El Paso, Texas, requested from U.S. Customs and Border Protection (CBP) all records regarding the Robb Elementary School mass shooting in Uvalde, Texas. (Case number CBP-2022-086075)

### III. Freedom of Information Act Releases

- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **John G. Swaine**, a representative of *The Washington Post*, in Brooklyn, New York, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083369)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Nicole Kunshek**, a representative of *KENS 5 TV*, in San Antonio, Texas, a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083409)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Joyce Lee**, a representative of *The Washington Post*, in Washington, D.C., a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083422)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Joyce Lee**, a representative of *The Washington Post*, in Washington, D.C., a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083435)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Caroline Ghisolfi**, a representative of *Austin-American Statesman - Gannett*, in Austin, Texas, a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083593)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Joshua Eaton**, a representative of *NBC News*, in Arlington, Virginia, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083795)

- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Mr. Rick Jervis**, a representative of *USA Today*, in Austin, Texas, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-084019)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Joshua Eaton**, a representative of *NBC News*, in Arlington, Virginia, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-084262)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Zachary German**, a private individual in Redmond, Washington, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-084449)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Jessica Kegu**, a representative of *CBS News*, in New York, New York, a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-084575)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Allen Glines**, a private individual in Ogden, Utah, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-084966)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Curt Devine**, a representative of *CNN*, in Washington, D.C., a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-085101)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Curt Devine**, a representative of *CNN*, in Washington, District of Columbia, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-085102)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Mike Baker**, a private individual in New York, New York, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-085390)
- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Tina M. Macias**, a journalist with *KHOU 11 News*, in Houston, Texas, a full denial in

response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-085514)

- On June 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Debbie Nathan**, a private individual in El Paso, Texas, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-086075)
- On June 3, 2022, U.S. Customs and Border Protection (CBP) issued to **Caroline Ghisolfi**, a representative with *Austin-American Statesman - Gannett*, in Austin, Texas, a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-086894)
- On June 4, 2022, U.S. Customs and Border Protection (CBP) issued to **Joyce Lee**, a representative of *The Washington Post*, in Washington, D.C., a full denial in response to her request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-084125)
- On June 4, 2022, U.S. Customs and Border Protection (CBP) issued to **Jason Koebler**, a representative of *MuckRock*, in Boston, Massachusetts, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-086513)
- On June 6, 2022, the Federal Protective Service (FPS) released to **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, 81 pages of records pertaining to email communications, safety and intelligence bulletins, and open-source reports mentioning or referring to the Freedom/Trucker Convoy in the Washington, D.C. area. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2022-FPFO-00135)
- On June 6, 2022, the Federal Protective Service (FPS) released to **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, 45 pages of records pertaining to emails, safety and intelligence bulletins, and open-source reports mentioning or referring to the Freedom/Trucker Convoy in Canada and the Freedom/Trucker's Convoy blocking of the Ambassador Bridge. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), 7(E), and 7(F). (Case Number 2022-FPFO-00134)
- On June 6, 2022, U.S. Customs and Border Protection (CBP) released to **Daniel Van Shooten**, a representative of the *Project on Government Oversight*, in Washington, D.C., 297 pages of records pertaining to email communications regarding his request for all communications, or other materials exchanged between or used in discussions with the Tohono O'odham Nation, from November 8, 2016 through the present.



Portions of this release were withheld pursuant to FOIA exemptions 3, 5, 6, 7(C), and 7(E). (Case number CBP-2017-048684)

- On June 6, 2022, the Federal Protective Service (FPS) released to **Jason Leopold**, a representative of **BuzzFeed News** in Beverly Hills, California, 186 pages records pertaining to email communications, safety and intelligence bulletins, and open-source reports mentioning or referring to “Roe vs. Wade”, “abortion”, the Supreme Court draft opinion concerning Roe vs. Wade, and the protests taking place in front of the Supreme Court. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), 7(E), and 7(F). (Case Number 2022-FPFO-00133)
- On June 6, 2022, the United States Secret Service (USSS) released to **Justin McCarthy** a representative of **Judicial Watch** in Washington, D.C. 11 pages of records pertaining to the use of U.S. Government funds to provide security and/or any other services to President Biden and any companions for their April 22, 2022 trip to Seattle, Washington. Portions of this response will be withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number USSS 20220393)
- On June 6, 2022, U.S. Customs and Border Protection (CBP) issued to **Andrew Free**, a representative of **MuckRock**, in Boston, Massachusetts, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-087055)
- On June 6, 2022, U.S. Customs and Border Protection (CBP) issued to **Jingnan Huo**, a representative of **National Public Radio**, in Boston, Massachusetts, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-087095)
- On June 7, 2022, the Transportation Security Administration (TSA) released to **Jason Leopold**, a representative with **BuzzFeed News** in Beverly Hills, California, 40 pages of records pertaining to email communications for all K Bands and above within the Front Office from January 6, 2022. Portions of the release were withheld pursuant to FOIA Exemptions 3, 5 and 6. (Case Number 2021-TSLI-00001)
- On June 7, 2022, the Transportation Security Administration (TSA) issued to **Eric Geller**, a representative of **Politico** in Arlington, Virginia, a full denial in response to his request for records pertaining to the vulnerability assessment reports submitted by pipeline owners/operators pursuant to Security Directive Pipeline-2021-01. These records were withheld in full pursuant to FOIA Exemptions 3 and 4. (Case Number 2021-TSFO-00597)
- On June 7, 2022, U.S. Customs and Border Protection (CBP) issued to **Brian New**, a representative of **KTVT**, in Frisco, Texas, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-087940)

- On June 8, 2022, U.S. Customs and Border Protection (CBP) released to **Drew Ensign**, a representative of the *State of Arizona*, 1,690 pages and one excel spreadsheet of records pertaining to four new projects financed through funds Congress set aside for the border wall and are a part of President Joe Biden's plan to use Trump-era border wall funding to remediate safety and environmental issues stemming from the construction. Portions of this request were withheld pursuant to FOIA exemptions 3, 6, 7(C), and 7(E). (Case number CBP-2021-100237)
- On June 8, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, a private individual in Silver Spring, MD, 16 pages of records pertaining to email communications from the Deputy Assistant Director for Congressional Affairs containing any of the following words Capital, Capitol, Police, Attack, Mob, Violence, Or Trump. Portions of this response are withheld pursuant to FOIA exemptions 5, 6 and 7(C). (Case Number 2022-HQFO-00085)
- On June 8, 2022, the Department of Homeland Security (DHS) Privacy Office will release to **Laura Morel**, a representative of *The Center for Investigative Reporting* in Emeryville, California, 40 pages of records pertaining to email communications to and/or from Stephen Miller, Chad Wolf, Kirstjen Nielsen, Kevin McAleenan, Ken Cuccinelli and Chad Mizelle between January 1, 2017, through November 23, 2020, mentioning terms: "border" "asylum" "family separation" "family units" "minor". Portions of this release will be withheld pursuant to FOIA Exemption 5, 6, 7(C), and 7(E). (Case Number 2021-HQFO-00217)
- On June 9, 2022, the Department of Homeland Security (DHS) Privacy Office will release to **Mark Walker**, a representative of *The New York Times* in Washington, D.C., 8 pages of records pertaining to the internal and external email communication history of the U.S. Secret Service Director, Randolph Alles. Portions of this release are withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number 2021-HQFO-00501)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Justice Action Center and Immigrant Defenders Law Center v. U.S. Department of Homeland Security (DHS) (21-cv-07592)* plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to Title 42 expulsions of asylum seekers. Plaintiff filed a suit on September 22, 2021, claiming injunctive relief. On June 2, 2022, U.S. Customs and Border Protection (CBP) issued the second response consisting of 94 pages of records to the plaintiff.

- In the matter of *Crew v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02553)* plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to communications from June 2, 2020 relating to decision to deploy federal agents to Portland, Oregon and Chicago, Illinois. On June 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 147 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to data regarding administrative arrest warrants and administrative subpoenas. On June 3, 2022, the U.S. Immigration and Customs Enforcement (ICE) released 510 pages of records to the plaintiff
- In the matter of *Organized Communities Against Deportations (OCAD), Immigrant Defense Project (IDP), Center for Constitutional Rights (CCR) v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to how and why ICE has decided to expend resources to establish “Citizens Academies”. On June 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 516 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (22-cv-00183)* plaintiff filed a FOIA request on September 23, 2021, seeking records pertaining to the operational guidance regarding the process for ICE Field Office Directors or Special Agents in Charge to review and approve civil immigration enforcement actions against individuals outside of the interim enforcement and removal priorities. On June 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 652 pages and 119 excel spreadsheets of records to the plaintiff.
- In the matter of *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. U.S. Department of Homeland Security (DHS)(19-cv-03438)*, plaintiff filed a FOIA request on May 31, 2019, seeking all policies, procedures, guidelines, and communications relating to the screening, inspection or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On June 3, 2022, CBP released its twentieth interim response, consisting of 3,086 pages of records to the plaintiff.
- In the matter of *Jacqueline Stevens v. U.S. Immigration and Customs Enforcement (21-cv-02232)*, plaintiff filed a FOIA request on November 29, 2018, seeking records maintained, received, or distributed by USCIS pertaining to Nathan Anfinson, also known as Alfonso Chavez. On June 3, 2022, the United States Citizenship and Immigration Serviced (USCIS) released 13 pages of records to the plaintiff.
- In the matter of *Catholic Legal Immigration Network, Inc v. U.S. Citizenship and Immigration Services (USCIS), (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017, through August 12, 2019. On June 6, 2022, United States

Citizenship and Immigration Serviced (USCIS) released 457 pages of records to the plaintiff.

- In the matter of *American Immigration Council v. Department of Homeland Security (DHS) (18-cv-01390)* plaintiff filed a FOIA request on December 23, 2016 seeking records, policies, procedures, and practices used by CBP personnel to process noncitizens who are seeking asylum and/or express a fear of returning to their home countries since January 2016. Plaintiff filed suit on June 14, 2018 claiming injunctive relief. On June 6, 2022, U.S. Customs and Border Protection (CBP) issued its twenty-third interim response consisting of 270 pages of records to the plaintiff.
- In the matter of *Ramirez v. United States Citizen and Immigration Services (USCIS), (22-cv-01643)*, plaintiff filed a FOIA request on November 30, 2020, seeking records pertaining to the Alien File of Juan Jose Carvajal Ramirez and information related to USCIS's processing of information regarding terminated visa registrations and the automatic revocation of I-130 petition. On June 6, 2022, the United States Citizenship and Immigration Serviced (USCIS) released 20 pages of records to the plaintiff.
- In the matter of *CGFNS International, Inc., v. United States Citizen and Immigration Services (USCIS), (21-cv-04529)*, plaintiff filed a FOIA request on August 5, 2021, seeking records pertaining to form I-905 filed by Josef Silny and Associates Inc. On June 7, 2022, the United States Citizenship and Immigration Serviced (USCIS) released 7 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. Chad E. Wolf and United States Department of Homeland Security (DHS) (20- cv-02348)*, plaintiff filed a FOIA request on September 25, 2019, seeking records pertaining to the special training for Iraqi and Syria cases given to Asylum Officers from January 1, 2018, through the present. On June 8, 2022, the United States Citizenship and Immigration Serviced (USCIS) released 735 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. United States Department of Homeland Security (DHS) (21-cv-02371)*, plaintiff filed a FOIA request on May 14, 2020, seeking records pertaining to HQ instructions to the Arlington, Virginia, asylum office, regarding training for new asylum officers from January 1, 2020, through the present. On June 8, 2022, the United States Citizenship and Immigration Serviced (USCIS) released 593 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (19-cv-00774) (2019-HQLI-00008)*, plaintiff filed a complaint on March 20, 2019, seeking records pertaining to communications to or from Stephen Miller containing the words "Stephen Miller"; and records reflecting communications between political appointees and McLaurine Klingler, Executive Assistant in the White House Office within the Executive Office of the President. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6. On June 8, 2022, U.S. Department of Homeland Security (DHS) Privacy Office released 318 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
June 9, 2022- June 15, 2022  
DHS Privacy Office  
June 21, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On June 9, 2022, **Michael Howell**, a representative of *Daily Signal*, in Washington, D.C. requested from the Office of Inspector General (OIG) records pertaining to allegations made against or about CBP agents “whipping” or otherwise engaging migrants attempting to cross into the United States in or near the Rio Grande River near Del Rio, Texas. (Case Number 2022-IGFO-00193)
- On June 9, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to allegations made against or about United States Customs and Border Protection (CBP) agents “whipping” or otherwise engaging migrants attempting to cross into the United States in or near the Rio Grande River near Del Rio, Texas during the migrants’ encounter with CBP agents on September 19, 2021. (Case Number 2022-HQFO-01197)
- On June 9, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications, regarding the term “operational control” to or from any individuals within the Office of Legislative Affairs, the Office of Secretary, the Office of Strategy Policy and Plans, and the Office of the General Counsel from April 4, 2022, to May 13, 2022. (Case Number 2022-HQFO-01200)
- On June 10, 2022, **Jason Leopold**, a representative of *Buzzfeed News* in New York, New York, requested from the Federal Protective Services (FPS) records pertaining to communications, photographs, directives, and assessments relating or referring to "Bans off Our Bodies," Planned Parenthood, abortion rights, and anti-abortion, pro-choice and reproductive rights protests held in several US cities. (Case Number 2022-FPFO-00161)
- On June 10, 2022, **Reed Rubinstein**, a private individual in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Department’s “strategic plan,” on “Promoting Access to Voting,” to be submitted to the Assistant to the President for Domestic Policy by September 23, 2021. (Case Number 2022-HQFO-01205)

- On June 10, 2022, **Adam Turner**, a representative of the **Center to Advance Security in America** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the creation, development, approval, and application process related to the term MDM (mis- dis- and mal-information). (Case Number 2022-HQFO-01219)
- On June 10, 2022, **Adam Turner**, a representative of the **Center to Advance Security in America** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications from January 1, 2022, through the present between DHS personnel pertaining to the COVID-19 virus manipulation and origin of the COVID-19 pandemic. (Case Number 2022-HQFO-01209)
- On June 13, 2022, **April Wood**, a private individual in Edgewater, Maryland requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the call log, email history, social media message platforms, and notes within notes app on the government-issued cell phone for DHS employee Chadwick Ronald Wood (Case Number 2022-HQFO-01213)
- On June 14, 2022, **Allan Blutstein**, a representative of **American Rising Corp** in Arlington, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails sent by Katherine Culliton-Gonzalez that mention Elon Musk or Twitter on April 14, 2022. (Case Number 2022-HQFO-01226)
- On June 13, 2022, **Zachary Stieber**, a representative of *The Epoch Times* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the body and dash-camera footage, audio recordings, written reports, and photographs captured by CBP officers responding to the mass shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. (Case Number CBP-2022-091049)
- On June 13, 2022, **Brody Ford**, a representative of *Bloomberg News* in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to contracts, including contract duration, and description of services rendered from January 1, 2021, to June 13, 2022. (Case Number COW 2022-002875)
- On June 13, 2022, **David Iversen**, a private individual in Maricopa, Arizona, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the lead-up and aftermath of the attack on/insurrection at the US Capitol on January 6, 2021 (Case Number 2022-HQFO-01247)
- On June 14, 2022, **Brody Ford**, a representative of *Bloomberg News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to contracts, including contract duration, and description of services rendered from January 1, 2021, to June 13, 2022. (Case Number CBP-2022-091586)
- On June 14, 2022, **Jason Leopold**, a representative of *BuzzFeed News*, in Los Angeles, California requested from the Office of Inspector General (OIG) records pertaining to email communications, safety, and intelligence bulletins, and open-source reports mentioning or referring to Roe v. Wade, abortion and draft opinion, the Supreme Court

and protests taking place in front of the Supreme Court. (Case Number 2022-IGFO-00199)

- On June 14, 2022, **Jennifer Franklin**, a representative of **Americans for Public Trust** in Alexandria, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Secretary Alejandro Mayorkas' daily Outlook calendar and meeting participants of each meeting between January 15, 2021, through the present. (Case Number 2022-HQFO-01256)
- On June 14, 2022, **Karen Veras Perez**, a representative of *Diario Libre Newspaper* in Santo Domingo, Dominican Republic, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the bilateral agreement between DHS, ICE, and the Dominican Republic Government, about the compensation that the Dominican Republic receives for every Dominican deported from the US, as an administrative cost for processing each travel document. (Case Number 2022-HQFO-01254)
- On June 15, 2022, **Nicholas Erickson**, a representative of the **Republican National Committee** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails between Alejandro Mayorkas and his chief of staff mentioning the terms "alien," "illegal," "illegal alien," or "assimilation. (Case Number 2022-HQFO-01261)
- On June 15, 2022, **Kimberly Hermann**, a representative of **Southeastern Legal Foundation** in Marietta, Georgia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to reports produced by DHS that would discuss China as a Foreign Adversary that might be fomenting the unrest described in the DHS Bulletin. (Case Number 2022-HQFO-01266)
- On June 15, 2022, **Eddie Ennis**, a private individual in Watertown, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to complaints of human trafficking, sex trafficking, and human slavery involving the use of implants and/or other biotechnologies between January 1, 2017, to June 1, 2022. (Case Number 2022-HQFO-01211)
- On June 15, 2022, **Jennifer Scales**, a representative of **Written Deposition Services** in Dallas, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications and notes related to DHS's work and participation with the Texas Task Force on concert safety. (Case Number 2022-HQFO-01234)
- On June 15, 2022, **Jon Feere**, a presentative of the **Center for Immigration Studies** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails sent by Kristie Canegallo to any employee of Google Inc. or Alphabet Inc. from January 10, 2022, through the present. (Case Number 2022-HQFO-01237)
- On June 15, 2022, **Jason Paladino**, a private individual in Boston, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office



records pertaining to the arrest of members of the extremist group "Patriot Front". (Case Number 2022-HQFO-01232)

- On June 15, 2022, **Chris McCrory**, a representative of **TEGNA** in Baltimore, Maryland, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE's ranked list of universities at risk for sensitive technology transfers that are referenced in the June 14, 2022, GAO report. (Case Number 2022-ICFO-20102)

**Late Requests:**

- On January 6, 2022, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the draft, review process, and communications related to the 2021 ICE Enforcement and Removal Operations Annual Report (Case Number 2022-ICFO-19134)
- On May 24, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to emails with the following words: DACA, Succession, Garaufis, Deferred, or Trump, in the account of Joseph Edlow, from November 13, 2020, through November 16, 2020. (Case Number COW 2022-002847)
- On June 8, 2022, **Alex Rouhandeh**, a representative of *Newsweek* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the addresses associated with two seizures of counterfeit Cartier jewelry in Aventura, Florida, and Brandon, Mississippi, as detailed in a September 1, 2021, press release. (Case Number CBP-2022-089017)
- On June 8, 2022, **Caitlin Colford**, a private individual from Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of Dzhokhar A. Tsarnaev, who committed the Boston Marathon Bombings in 2013. (Case Number COW 2022-002816)
- On June 8, 2022, **Marc Garman**, a representative of *Vallejo Independent Bulletin* in Vallejo, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the start date of the SmartLink telephonic monitoring system for immigrants at ICE; the number of ICE/US government-owned phones or phones leased or rented from a sub-contractor or other entity with the pre-loaded Smartlink app issued to immigrants and the dates the phones was issued and the number of SmartLink phones issued that were capable of making calls outside of the application. (Case Number 2022-ICFO-20137)
- On June 8, 2022, **Rebecca G. Jacobs**, a representative of **Citizens for Responsibility and Ethics in Washington** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications sent or received by Border Patrol Agent Brandon Judd, from January 1, 2020, to present that mention "Great Replacement Theory," "White genocide," "Open border," "Demographic," "Demographic change," "Replace," "Change the demographics," "Electorate,"

“White Americans,” “Jews,” and/or “Liberal voters”. (Case Number CBP-2022-089163)

- On June 8, 2022, **Camryn E. Garza**, a representative of *The Daily Dot* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications, arrest records, notes, and documents regarding the decision of CBP to post about the narcotics seizure to Twitter following the incident in Buffalo, New York from June 1, 2022, to June 3, 2022. (Case Number CBP-2022-089330)

### III. Freedom of Information Act Releases

- On June 10, 2022, the Department of Homeland Security (DHS) Privacy Office will release to **Hart W. Wood** a representative of **American Oversight** in Washington, D.C., a one-page record pertaining to email communications sent by Chad Wolf, Ken Cuccinelli, or Chad Mizelle to Federation for American Immigration Reform or NumbersUSA. Portions of this response are being withheld pursuant to FOIA Exemption 6. (Case Number 2021-HQFO-00619)
- On June 15, 2022, U.S. Customs and Border Protection (CBP) issued to **Zachary Stieber**, a representative of *The Epoch Times* in New York, New York, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(a). (Case number CBP-2022-091049)

### IV. Freedom of Information Act Appeals

- Nothing significant to report.

### V. Freedom of Information Act Appeals Releases

- Nothing significant to report.

### VI. Litigation

- In the matter of *International Refugee Assistance Project v. United States Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS)(21-cv-09519)*, plaintiff filed a FOIA request on August 20, 2021, seeking records pertaining to USCIS systems, manuals, policies, and training materials from January 1, 2016, through the present. On June 9, 2022, the United States Citizenship and Immigration Services (USCIS) released 493 pages of records to the plaintiff.
- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) (20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, seeking records pertaining to policies, communications, contracts, and memoranda of understanding including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On June 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 113 pages of records to the plaintiff.

- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-10430)*, plaintiff filed a FOIA request on December 7, 2021, seeking records pertaining to aerial surveillance and flight monitoring of nationwide protests following the death of George Floyd in May 2020. On June 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 11 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On June 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 61 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Defense (DOD) (21-cv-02800) (2022-HQLI-00009)*, plaintiff filed a complaint on October 21, 2021, seeking records pertaining to email communications related to the roles senior officials played leading up to the January 6 attack on the U.S. Capitol. On June 10, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office will release the June interim response, consisting of 66 pages of records to the plaintiff.
- In the matter of *Ammad Omar, National Public Radio, Inc. v. U.S. Department of Homeland Security (DHS) (21-cv-09928)*, plaintiff filed a FOIA request on December 27, 2021, seeking records pertaining to the agency's detention facility contracts. Specifically, "white papers" produced by local ICE field offices regarding additional detention space; communications related to the opening of detention facilities at former prisons; and communications related to the contracting process for detention center operators previously found to be deficient. On June 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 456 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office, including all sub-offices, between January 1, 2017, through the present. On June 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 371 pages of records to the plaintiff.
- In the matter of *Immigrant Advocates Response Collaborative v U.S. Department of Homeland Security (DHS) (21-cv-1235)*, plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On June 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 91 pages of records to the plaintiff.
- In the matter of *Julie Ann Dahlstrom, Heba Gowayed v. United States Department of Homeland Security (DHS) (22-cv-01165)*, plaintiff filed a FOIA request on August 7, 2020, seeking records pertaining to the statistical data related to T-1 nonimmigrant status applications for victims of trafficking. On June 14, 2022, the

United States Citizenship and Immigration Services (USCIS) released two spreadsheets of records to the plaintiff.

- In the matter of ***Project on Government Oversight, Inc., v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-03372)***, plaintiff filed a FOIA request on November 7, 2019, seeking records pertaining to communications between government officials and representatives of Amazon or Amazon Web Services regarding facial recognition technology. On June 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 479 pages of records to the plaintiff.
- In the matter of ***Joshua Phillips v. U.S. Department of Homeland Security (DHS) (19-cv-01971) (2019-HQLI-00027)*** plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the disclosure of records, documents, and correspondence mentioning or referring to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and reports that discuss the threat of domestic terrorism. On June 15, 2022, the Department of Homeland Security (DHS) Privacy will make its 22nd interim release consisting of 64 pages of records to the plaintiff. Of the 64 pages, 50 pages are released in full, and 14 pages are withheld in part under FOIA exemptions 5 and 6.
- In the matter of ***Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-CV-01523) (2018-HQLI-00033)***, plaintiff filed a complaint on January 11, 2018, seeking records pertaining to emails sent or received by USCIS ombudsman Julie Kirchner, including the entire email chain in which Ms. Kirchner is a sender or recipient of one or more emails in the chain, all meeting minutes and other meeting summaries for meetings attended by Ms. Kirchner and including phone call history. On June 15, 2022, the Department of Homeland Security (DHS) Privacy Office will release the 41st interim response, consisting of 283 pages of records to the plaintiff.
- In the matter of ***Leopold, Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01957) (2018-HQLI-00039)***, plaintiff filed a complaint on August 21, 2018, seeking records pertaining to emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On June 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office will release the 43<sup>rd</sup> interim response, consisting of 179 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.

In the matter of ***American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-02168)*** plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to written reports referred to in a memorandum from Tae D. Johnson to “All ICE Employees”. On June 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.

- In the matter of ***Guillermo Linares Alvarez v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-1425)***, plaintiff filed a FOIA request on December 17, 2021, seeking records pertaining to Guillermo Linares Alvarez’s interactions with ICE, including arrest and detention records. On June 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 200 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
June 16, 2022- June 22, 2022  
DHS Privacy Office  
June 27, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On June 16, 2022, **Andrew Wallender**, a representative of *Bloomberg Law* in Arlington, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Afghan nationals who have applied for humanitarian parole from Quarter 4 of Fiscal Year 2020 through Quarter 1 of Fiscal Year 2022. (Case Number COW 2022-002944)
- On June 16, 2022, **Andrew Wallender**, a representative of *Bloomberg Law* in Arlington, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to guidance documents, memos, or internal manuals specifically referencing how to process humanitarian parole requests made by Afghan nationals from January 1, 2020, through June 16, 2022. (Case Number COW 2022-002945)
- On June 16, 2022, **Andrew Cvitanovic**, a representative of **CSP&T** in Belle Chasse, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the vessels and barge breakaways that occurred in USCG District 8 on August 8, 2021, during Hurricane Ida. (Case Number 2022-CGFO-01859)
- On June 16, 2022, **Tim Henderson**, a representative of **Pew Charitable Trusts** in Silver Spring, Maryland, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to statistical information about I-134 forms filed to date under the Uniting for Ukraine program. (Case Number COW 2022-002953)
- On June 16, 2022, **Kara Meintassis**, a private individual in Jacksonville, Florida, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications or memorandums of understanding between personnel at T-Mobile US, Inc and the Department of Homeland Security personnel concerning "disinformation", "misinformation", censorship, or covid vaccines for the period from January 2020 to June 16, 2022. (Case Number 2022-HQFO-01243)
- On June 16, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications from the Secret Service concerning the planning for the ghost gun kit display at President Biden's press conference on April 11, 2022. Additionally, documents relating to acquiring or otherwise obtaining the

ghost gun kit, including driving it to the White House and carrying it through the security checkpoint(s). (Case Number 2022-HQFO-01245)

- On June 16, 2022, **Zach Stieber**, a representative of *The Epoch Times* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Nina Jankowicz between addresses ending with "@who.eop.gov" mentioning "disinformation" and emails to or from Secretary Mayorkas between addresses ending with "@who.eop.gov" mentioning "disinformation" from October 1, 2021, to February 1, 2022. (Case Number 2022-HQFO-01244)
- On June 16, 2022, **David Bier**, a representative of the **Cato Institute** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications to or from any DHS.gov email account that contains information related to several proclamation reports. (Case Number 2022-HQFO-01281)
- On June 16, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Congressional correspondence received from the United States Senate or the House of Representatives, and records regarding responses to the congressional correspondence. (Case Number 2022-HQFO-01242)
- On June 17, 2022, **Carole Nestoret**, a representative of *Editions Fayard* in Paris, France, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Fernande Grudet also known as Madame Claude. (Case Number COW 2022-002956)
- On June 17, 2022, **Krista Oehlke**, a representative of **ACLU of Massachusetts** in Boston, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications related to the Migrant Protection Protocols (MPP) between DHS headquarters and White House personnel; DHS headquarters and Mexican government officials; DHS headquarters and the Department of State, including as it relates to travel advisory levels in Mexico; The DHS Office of Inspector General and the Office for Civil Rights and Civil Liberties. (Case Number 2022-HQFO-01258)
- On June 17, 2022, **Tanvi Misra**, a representative of, *MuckRock News* in Boston, Massachusetts requested from the Office of Inspector General (OIG) records pertaining to the investigation into the Department of Homeland Security's phone surveillance practices to determine if DHS and its components have developed, updated, and adhered to policies related to cell-phone surveillance devices. (Case Number 2022-IGFO-00200)
- On June 17, 2022, **David Bier**, a representative of **The CATO Institute** in Washington, D.C, requested from U.S. Customs and Border Protection (CBP) records pertaining to email communication regarding Presidential Proclamations that were sent to and from Kevin McAleenan, David Pekoske, Randolph Alles, Mark Morgan, John P. Sanders, and Ronald Vitiello from January 2017 to the present date. (Case Number CBP-2022-093496.

- On June 17, 2022, **Michael Canales**, a representative of *Fox News* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to body camera footage of Border Patrol arriving and making their way into Robb Elementary in Uvalde, Texas on May 24, 2022. (Case Number CBP-2022-093765)
- On June 19, 2022, **Jenny Ziegler**, a representative of *WSVN Channel 7 News* in Miami, Florida, requested from the United States Coast Guard (USCG) records pertaining to 911 calls related to an accident that occurred near Nixon Beach, off Key Biscayne South Florida on Friday, June 17, 2022. (Case Number 2022-CGFO-01890)
- On June 19, 2022, **Rachel DeH-Oraa** a representative of **Phelps Dunbar LLP** in Mobile, Alabama, requested from the United States Coast Guard (USCG) records pertaining to Captain of the Port Orders and Marine Safety Information Bulletins related to Hurricane Sally in September of 2020 issued by USCG Sector Mobile. (Case Number 2022-CGFO-01891)
- On June 20, 2022, **Elizabeth Rosales**, a representative of *The Mexico Border Investigative Reporting Hub* in Tijuana, Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to Mexican avocados brought into the United States from January 2017 to the present. (Case number CBP-2022-094228)
- On June 20, 2022, **Robert Koester**, a representative of *DBS Productions* in Charlottesville, Virginia, requested from the United States Coast Guard (USCG) records pertaining to search and rescue records related to aircraft crashes, bridge jumpers, diving accidents, and Person in Water (PIW) from the past 20 years. (Case Number 2022-CGFO-01869)
- On June 20, 2022, **Kayla R. Young**, a representative of *WFAE* in Charlotte, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to data on the monthly number of Border Patrol apprehensions and arrests in the state of North Carolina from January 2019 to the present. (Case number CBP-2022-094573)
- On June 21, 2022, **Jon Feere**, a representative of the **Center for Immigration Studies** requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications sent by Kristie Canegallo to any employee of Twitter Inc. from January 10, 2022, through the present. (Case Number 2022-HQFO-01262)
- On June 21, 2022, **Susan B. Long**, a representative of *Transactional Records Access Clearinghouse* in Syracuse, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to case-by-case data on Border Patrol exclusions under Title 42 from Fiscal Year 2020 to the present. (Case number CBP-2022-094619)
- On June 21, 2022, **Emily Kean**, a representative of *Court TV* in Atlanta, Georgia, requested from U.S. Customs and Border Protection (CBP) records pertaining to US Border Patrol reports in response to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-094824)
- On June 21, 2022, **Maren Machles**, a representative of *The Project on Government Oversight* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to reports and documentation on the investigation of the



shooting death of Claudia Patricia Gomez Gonzalez by U.S. Border Patrol Agent Romualdo Barrera. (Case number CBP-2022-094907)

- On June 21, 2022, **David Hausman**, a representative of **ACLU Immigrants Rights Project** in Berkeley, California, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to an updated spreadsheet related to data for the number of non-asylum application forms filed between 2008 through October 17, 2019. (Case Number COW 2022-002998)
- On June 22, 2022, **Andrew Free**, a representative of **MuckRock News** in Somerville, Massachusetts, requested from the Office of Inspector General (OIG) records pertaining to working papers for the DHS-OIG Report released January 6, 2021, captioned OIG 22-14 “Medical Processes and Communication Protocols Need Improvement at Irwin County Detention Center”. (Case Number 2022-IGFO-00205)
- On June 22, 2022, **Alexis Rivas**, a representative of **NBC 7** in San Diego, California requested from the Office of Inspector General (OIG) records pertaining to the results from an undercover Red Team agent testing Transportation Security Administration (TSA) airport screening. (Case Number 2022-IGFO-00206)

**Late Requests:**

- On February 1, 2022, **Martha Mendoza**, a representative of **Associated Press** in Santa Cruz, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to audio recordings, video recordings, incident reports, and communications regarding a law enforcement operation on the 500 block of Windham Street, Santa Cruz, California conducted by DHS Homeland Security Investigations agents on or around February 15, 2019. (Case Number 2022-ICFO-06492)
- On April 25, 2022, **Alexis V. Rivas**, a representative of **NBC 7 San Diego**, in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to border wall breaches reported, and repaired maintenance records, in San Diego, California, from January 1, 2014, to the present. (Case number CBP-2022-070160)
- On May 25, 2022, **Joyce Lee**, a representative of **The Washington Post** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to dash camera footage captured by CBP border patrol agents who responded to the Robb Elementary School mass shooting in Uvalde, Texas, on May 24, 2022. (Case number CBP-2022-083473)
- On June 7, 2022, **Matthew Petti**, a representative of **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications concerning the creation of a tweet and a press release regarding a seizure at the Champlain, New York Port of Entry on June 1, 2022. (Case Number CBP-2022-088288)
- On June 7, 2022, **Jonathan Rudenberg**, a representative of **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications concerning the creation of a tweet and press

release regarding a seizure at the Champlain, New York Port of Entry on June 1, 2022. (Case Number CBP-2022-088290)

- On June 9, 2022, **Nicholas Cummings**, a representative of **Motley Rice, LLC** in Mt. Pleasant, South Carolina, requested from the United States Coast Guard (USCG) records pertaining to a boating accident, which occurred on the Wilmington River on May 28, 2022, resulting in the death of five people. (Case Number 2022-CGFO-01805)
- On June 9, 2022, **Tony Guild**, a representative of **Maritime Technical Services, LLC** in San Rafael, California requested from the United States Coast Guard (USCG) records pertaining to the narrative report and its attachments concerning the small passenger vessel CONCEPTION from December 4, 1996. (Case Number 2022-CGFO-01806)
- On June 13, 2022, **Ellie Wen**, a representative of **Actual Films** in San Francisco, California requested from the United States Coast Guard (USCG) records pertaining to the U.S. Coast Guard search and rescue response to the disappearance of an individual and their sailing vessel named TENACIOUS. (Case Number 2022-CGFO-01834)
- On June 15, 2022, **Alex Calzareth**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications sent to or received by Tammy Meckley, Associate Director of Immigration Records and Identity Services Directorate (IRIS), from February 1, 2022, through June 15, 2022, that contain any of the following words: genealogy, genealogy, genealogist, genealogists, genealogist, genealogists, genealogical. (Case Number COW 2022-002912)

### III. Freedom of Information Act Releases

- On June 10, 2022, the United States Coast Guard (USCG) released to **Sam Stockbridge**, a representative of *Ketchikan Daily News* in Ketchikan, Alaska, 70 pages of records pertaining to surveys and reports related to the 2021 Housing Market Survey and Analysis Final Report, dated December 14, 2021. These records were released in full. (Case Number 2022-CGFO-01402)
- On June 16, 2022, U.S. Customs and Border Protection (CBP) released to **Alex Rouhandeh**, a representative of *Newsweek* in Washington, D.C., eight pages of records pertaining to the addresses of two Cartier jewelry seizures detailed in a September 1, 2021 press release. Portions of this request were withheld pursuant to FOIA exemptions 6, 7(A), 7(C), and 7(E). (Case number CBP-2022-089017)
- On June 17, 2022, U.S. Customs and Border Protection (CBP) released to **SangYeob Kim**, a representative of the *American Civil Liberties Union of New Hampshire* in Concord, New Hampshire, twenty-three pages of records pertaining to non-checkpoint apprehensions by Border Patrol in the Swanton, New Hampshire Sector from January 17, 2021, to May 17, 2022. Portions of this request were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-079696)

- On June 17, 2022, U.S. Customs and Border Protection (CBP) released to **Matthew Petti**, a representative of *MuckRock News* in Boston, Massachusetts, eleven pages of records pertaining to the creation of a tweet and press release regarding a drug seizure in Champlain, New York on June 1, 2022. Portions of this request were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2022-088288)
- On June 17, 2022, U.S. Customs and Border Protection (CBP) released to **Jonathan Rudenberg**, a representative of *MuckRock News* in Boston, Massachusetts, eleven pages of records pertaining to the creation of a tweet and press release regarding a drug seizure in Champlain, New York on June 1, 2022. Portions of this request were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2022-088290)
- On June 17, 2022, U.S. Customs and Border Protection (CBP) released to **Camryn E. Garza**, a representative of *The Daily Dot* in Austin, Texas, eleven pages of records pertaining to a tweet regarding a drug seizure in Champlain, New York on June 1, 2022. Portions of this request were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2022-089330)
- On June 22, 2022, the United States Coast Guard (USCG) released to **Matthew Jernigan**, a no records letter pertaining to his request for records pertaining to missing medical documents, discrimination occurring by employee misconduct and interference, restraint, coercion, and reprisals occurring. (Case Number 2022-CGFO-01557)
- On June 22, 2022, U.S. Customs and Border Protection (CBP) issued to **Joyce Lee**, a representative of *The Washington Post*, in Washington, D.C., a full denial in response to her request for records pertaining to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. Portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-083473)
- On June 22, 2022, U.S. Customs and Border Protection (CBP) issued to **Emily Kean**, a representative of *Court TV*, in Atlanta, Georgia, a full denial in response to her request for records pertaining to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-094824)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of the *Russell H. Cullen v. U.S. Department of Homeland Security (DHS) (20-cv-00113)*, plaintiff filed a FOIA request on January 13, 2020, seeking records pertaining to arrest records, investigation reports, charging documents, and telephonic recordings related to the individual. On June 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 440 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered between ICE and Clearview AI, along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On June 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 592 pages of records to the plaintiff.
- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE)(21-cv-02153)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to policies and guidance concerning the detention of a transgender or intersex person to include during the COVID-19 pandemic and training manuals, guides, memoranda, and other documents used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention. On June 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 456 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-09208)*, plaintiff filed FOIA requests on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) pursuant to the Johnson memorandum. On June 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.
- In the matter of *Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and Envision Freedom Fund v. U.S. Immigration and Customs Enforcement (ICE)(22-cv-02885)* plaintiff filed a FOIA request on January 18, 2022, seeking records on or after October 1, 2015, regarding policies, guidelines, or procedures relating to immigration bonds. On June 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 736 pages and 3 excel spreadsheets of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-2725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to contracts, memorandums of understanding, e-mail, and all other items associated with the submission; acceptance, and review of detainee health with Kenosha County, Wisconsin for the health care provided to people held under immigration laws. On June 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 454 pages of records to the plaintiff.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) (20-01583)*, plaintiff filed a FOIA request on August 16, 2019, seeking records pertaining to efforts toward family reunification and the release of minors from the U.S. Department of Homeland Security (DHS) custody and facilities. On June 17, 2022,

U.S. Immigration and Customs Enforcement (ICE) released 473 pages of records to the plaintiff.

- In the matter of ***Center for Immigration Studies v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01761)*** plaintiff filed a FOIA request on July 1, 2021, seeking records pertaining to ICE employees concerning the Optional Practical Training (OPT) Employment Compliance Unit, STEM OPT or Curricular Practical Training (CPT) programs, as well as records pertaining to certain broadcast messages from February 1, 2020, to the present. On June 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 5 pages of records to the plaintiff.
- In the matter of ***Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)***, plaintiff filed a FOIA request on October 14, 2021, seeking records pertaining to communications between ICE and Bryan Cox, then-ICE Press Secretary, regarding Cameroon, Cameroonians, or the removal of Cameroonians to Cameroon, and records of communications between ICE and Charles R. Greene, Honorary Consul of Embassy of the Republic of Cameroon, regarding Cameroon, Cameroonians, or the removal of Cameroonians to Cameroon. On June 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 362 pages of records to the plaintiff.
- In the matter of ***Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06239)***, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On June 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 398 pages of records to the plaintiff.
- In the matter of ***ACLU v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-10407)***, plaintiff filed a FOIA request on January 31, 2022, seeking records pertaining to guidance to ICE's Office of the Principal Legal Advisor (OPLA) and Offices of Chief Counsel (OCC) attorneys that is currently in effect to include emails and other electronic documents. On June 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 141 pages of records to the plaintiff.
- In the matter of ***American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE), (20-cv-02363)***, plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213 prepared by any agent or employee under the supervision of the Philadelphia Field Office, including all sub-offices, between January 1, 2017, to the present. On June 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,741 pages of records to the plaintiff.
- In the matter of the ***Black Alliance for Just Immigration; American Immigration Council; American Civil Liberties Union of San Diego & Imperial Counties; and American Civil Liberties Union of Texas v. U.S. Customs and Border Protection (CBP) (20-cv-05198)***, plaintiff submitted a complaint on October 28, 2020, seeking records pertaining to CBP's surveillance of, and deployment of CBP personnel to protests in various U.S. cities following the death of George Floyd by Minnesota

police officers on May 25, 2020. On June 21, 2022, U.S. Customs and Border Protection (CBP) issued the ninth interim release, consisting of 262 pages of records to the plaintiff. In addition, 8,030 previously released pages of reports and correspondence were re-released based on a litigation order for this case.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
June 30, 2022- July 6, 2022  
DHS Privacy Office  
July 5, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On June 30, 2022, **Andrew Free** a representative of *MuckRock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to DHS’s FOIA office authorization to place non-exempt public records responsive to FOIA requests into a password-protected document; the Standard Operating Procedure used by the DHS FOIA Office to assign non-exempt records a password; contract materials with any third-party reflecting monies paid by DHS to outside contractors for password-protecting FOIA documents; records reflecting the total time FOIA Office personnel dedicated during FY20, FY21 and FY22 to password-protecting records and governing policy denoting when password protection is appropriate. (Case Number 2022-ICFO-22424)
- On June 30, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications from Director Wendy Howe and Supervisory Public Affairs Specialist John Verrico containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo” from January 21, 2021, to June 29, 2022. (Case Number 2022-HQFO-01320)
- On June 30, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to email communications from several senior officials within the Office of External Relations containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo” from January 21, 2021, to June 29, 2022. (Case Number 2022-NPFO-00158)
- On June 30, 2022, **Ian Head**, a representative of the **Center for Constitutional Rights** in Los Angeles, California, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the requests for interpreters by Cameroonian immigrants, or USCIS staff assisting Cameroonian immigrants, during their

proceedings with USICS, from January 1, 2018, through January 19, 2021. (Case Number COW 2022-003213)

- On June 30, 2022, **Adam Marshall**, a representative of the *Reporters Committee for Freedom of the Press* in Washington, D.C., requested from the Federal Law Enforcement Training Center (FLETC) records pertaining to FOIA requests in the Fiscal Year 2017 through 2021, that contain the terms: “neither confirm nor deny”, “neither confirms nor denies”, “confirm or deny”, “existence or nonexistence”, “existence or non-existence”, and “vel non”. (Case Number FOIA 22-165)
- On June 30, 2022, **Zach Stieber**, a representative of *The Epoch Times*, in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to preliminary action reports of border patrol agents that were accused of using whips against illegal immigrants in Del Rio, Texas, from September 1, 2021, to January 27, 2022. (Case number CBP-2022-099517)
- On June 30, 2022, **Zach Stieber**, a representative of *The Epoch Times*, in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to President Joe Biden's proclamation of halting the border wall construction, from July 20, 2021, to December 20, 2021. (Case number CBP-2022-099523)
- On June 30, 2022, **Dillon O Collier**, a representative of *KSAT 12*, in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to surveillance footage of tractor-trailers at the Encinal, Texas checkpoint on June 27, 2022. (Case number CBP-2022-099283)
- On June 30, 2022, **Frank Ferrira**, a private individual in Alexandria Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the DHS General Counsel’s review of the discipline processes as noted in a DHS press release of June 16, 2022. (Case Number 2022-HQFO-01330)
- On June 30, 2022, **Kyle Dunphey**, a representative of *Deseret News*, in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) records pertaining to geographic data on the number of sponsors who signed up for the “Uniting for Ukraine” program. (Case number CBP-2022-099803)
- On July 1, 2022, **Krista Oehlke**, a representative of **ACLU of Massachusetts**, in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Migrant Protection Protocols (MPP), communications, and guidance for Chief Patrol agents and Directorate Chiefs on how border patrol agents check “alien” classification boxes on Notices to Appear (NTA) for noncitizens; including the legality of issuing NTAs with unchecked or blank “alien” classification boxes; and training materials how border patrol agents check “alien” classification boxes on NTAs. (Case number CBP-2022-100086)
- On July 1, 2022, **Gabrielle Russon**, a representative of *Florida Politics* in Orlando, Florida, requested from the United States Coast Guard (USCG) records pertaining to the inspection reports completed for the Disney Wish cruise line ship. (Case Number 2022-CGFO-01967)



- On July 4, 2022, **Katie Ann McGrath**, a representative of *Blink Films UK* in London, United Kingdom, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to immigration documentation on Anzor Tsarnaev and Zubeidat Tsarnaeva - the parents of Boston Bombers, Dzhokhar, and Tamerlan. (Case Number COW 2022-003283)
- On July 4, 2022, **Sukhpal Singh**, a representative of **Maritime Professional** in Chandigarh, Punjab, India requested from the United States Coast Guard (USCG) records pertaining to the National Transportation and Safety Board (NTSB) and USCG investigation into the ATINA tanker accident. (Case Number 2022-CGFO-01990)
- On July 4, 2022, **Sukhpal Singh**, a representative of **Maritime Professional** in Chandigarh, Punjab, India requested from the United States Coast Guard (USCG) records pertaining to unlawful & illegal Maritime Operations. (Case Number 2022-CGFO-01992)
- On July 4, 2022, **Chase Rogers**, a representative of *Corpus Christi Caller-Times* in Corpus Christi, Texas, requested from the United States Coast Guard (USCG) records pertaining to incident data, caller information, and supplemental reports related to a Celanese-owned pipeline leak of methanol on April 28, 2022, in Corpus Christi, Texas. (Case Number 2022-CGFO-01983)
- On July 5, 2022, **Sherri Kukla**, a representative of *S&S Publishing Inc.*, in Borrego Springs, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the license plate of the vehicle that went through the U.S. Border Patrol checkpoint on Highway 86 on February 10, 2022. (Case number CBP-2022-100510)
- On July 5, 2022, **Nick Schwellenbach**, a representative of *Project On Government Oversight* in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to the Office of Inspector General project titled “CBP, ICE, TSA, and USSS Handling of Employee Allegations of Sexual Harassment and Workplace Sexual Misconduct” prior to December 3, 2020. (Case Number 2022-IGFO-00217)
- On July 5, 2022, **Michael Casey**, a representative of **The Associated Press** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the search and rescue of Nathan Carman. (Case Number 2022-CGFO-01986)
- On July 5, 2022, **Brittany Johnson**, a representative of *KCRA 3 News* in Sacramento, California, requested from the Transportation Security Administration (TSA) records pertaining to the video of passenger James Cooper going through the TSA Checkpoint at Sacramento International Airport with a loaded gun in his bag on March 3, 2022. (Case Number 2022-TSFO-00699)
- On July 6, 2022, **Nick Schwellenbach**, a representative of the **Project on Government Oversight** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the results of a 45-day

review on the employee disciplinary process directed by Secretary Mayorkas. (Case Number 2022-HQFO-01347)

- On July 6, 2022, **Jack Gillum**, a representative of *Bloomberg News* in New York, New York., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Joshua Henry sent or received between June 20, 2022, and July 6, 2022. (Case Number 2022-HQFO-01349)

### Late Requests:

- On June 24, 2022, **Luca Waters**, a representative of *Bloomberg News* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to requests of the Jones Act for oil products from January 1, 2022, to June 30, 2022. (Case number CBP-2022-096979)
- On June 26, 2022, **Chris Stanley**, a representative of **Functional Government Initiative** in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to public webinars or other events open to the public, focused on Pride Month, Gender Identity, Pronouns, and LGBT from May 1, 2022, through the present. (Case Number 2022-CGFO-01911)
- On June 28, 2022, **Dave Beaty**, a representative of **Dreamtime Entertainment** in Fort Myers, Florida, requested from the United States Coast Guard (USCG) records pertaining to the USCG law enforcement investigation and subsequent boarding of the BASS STRAIT bulk carrier. (Case Number 2022-CGFO-01956)
- On June 29, 2022, **Caleb Miller**, a private individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to the rosters with names and duties of all members of the USCG Military Unvaccinated Crisis Action Team. (Case Number 2022-CGFO-01943)
- On June 29, 2022, **Roman Jankowski**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to communications between individuals within the USCG Office of Public Affairs containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo”. (Case Number 2022-CGFO-01968)
- On June 29, 2022, **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between individuals in the Office of Public Affairs containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo”. (Case number CBP-2022-099250)
- On June 29, 2022, **Nick Bauer**, a representative of the *Democratic National Committee*, in Washington, D.C., requested from U.S. Customs and Border

Protection (CBP) records pertaining to communications between Senator Tom Cotton, Troy Miller, Benjamin Huffman, Raul Ortiz, Marguerite Lise Clavel, Robert E. Perez, Mark Morgan, and Rodney Scott, from January 3, 2021, through the present. (Case number CBP-2022-098902)

- On June 29, 2022, **David C. Beaty**, a private individual, in Fort Myers, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to an investigation of the Bulk Carrier, BASS STRAIT, in or around the Port of Long Beach, California in July 2019. (Case number CBP-2022-098535)
- On June 29, 2022, **Camryn E Garza**, a representative of *The Daily Dot*, in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between employees or officials mentioning the 6-to-3 ruling of *Egbert v. Boule* made on June 8, 2022. (Case number CBP-2022-098610)
- On June 29, 2022, **Maren Machles**, a representative of the *Project on Government Oversight*, in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the death of Claudia Patricia Gomez Gonzalez. (Case number CBP-2022-098604)
- On June 29, 2022, **Mike Howell**, a representative of *The Daily Signal / The Heritage Foundation* in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications between individuals in the Office of Public Affairs containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo” between January 21, 2021, through June 29, 2021. (Case Number COW 2022-003189)
- On July 1, 2022, **Adam Marshall**, a representative of the *Reporters Committee for Freedom of the Press* in Washington, D.C., requested from the Transportation Security Administration (TSA) records pertaining to letters and correspondence sent from DHS to FOIA requesters in Fiscal Years 2017 through 2021, that contain the terms: “neither confirm nor deny”, “neither confirms nor denies”, “confirm or deny”, “existence or nonexistence”, “existence or non-existence” and “vel non”. (Case Number 2022-TSFO-00698)

### III. Freedom of Information Act Releases

- On June 30, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel**, a representative of *MuckRock News*, in Somerville, Massachusetts, 251 pages of records pertaining to emails sent to, from, or copied to DHSBeijing.CIS@uscis.dhs.gov, containing the following term: "whistleblower" from January 1, 2014, through January 1, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number COW 2019-500545)
- On June 30, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel**, a representative of *MuckRock News*, in Somerville, Massachusetts, 16 pages of records pertaining to emails sent to, from, or copied to Sandra Healthman containing the terms: “Kushner”, “qiaowai” or “money laundering” from January 1,

2014, through January 1, 2018. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2019-500682)

- On June 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Wayne Ma**, a representative of *The Information* in San Francisco, California, one spreadsheet pertaining to I-129 H1B Petitions by IBM for beneficiaries with a country birth of India from January 1, 2008, through November 4, 2019. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2019-501605)
- On June 30, 2022, U.S. Customs and Border Protection (CBP) issued to **Alexander Hooper**, a representative of *Fox News* in New York, New York, a full denial in response to his request for records pertaining to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-097349)
- On July 1, 2022, U.S. Customs and Border Protection (CBP) released to **Nick Mattes**, a private individual in Round Rock, Texas, 14 pages of records pertaining to correspondence to and from the offices of U.S. Senators John Cornyn and Kay Bailey Hutchison. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2020-058081)
- On July 5, 2022, U.S. Customs and Border Protection (CBP) released to **Vicki Gaubeca**, a representative of *Alliance San Diego* in Tucson, Arizona, six pages of records pertaining to CBP Directive 4510-038, Response to Use of Force Incidents. This record was released in full. (Case number CBP-2022-042413)
- On July 5, 2022, U.S. Customs and Border Protection (CBP), issued to **Sherri Kukla**, a representative of *S&S Publishing Inc.*, in Borrego Springs, California, a full denial in response to her request for the license plate of the vehicle that went through the U.S. Border Patrol checkpoint on Highway 86 on February 10, 2022. These records were withheld pursuant to FOIA exemptions 6, 7(C). (Case number CBP-2022-100510)
- On July 5, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel Scott**, a representative of *MuckRock News*, in Somerville, Massachusetts, 66 pages of records pertaining to communications sent to, from, or copied to the USCIS Immigrant Investor Program from January 1, 2015, through the present containing the term "Greystone". Portions of the release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number COW 2019-500232)
- On July 6, 2022, the Federal Protective Service (FPS) released to **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, 86 pages of records pertaining to communications, photographs, directives, and assessments relating to or referring to Bans off Our Bodies, Planned Parenthood, abortion rights, anti-abortion, pro-choice and reproductive rights protests held in several US cities. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2022-FPFO-00161)
- On July 7, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mark Walker**, a representative of *The New York Times* in Washington,

D.C., eight pages of records pertaining to internal and external emails from U.S. Secret Service Director Randolph Alles. Portions of this release are withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number 2021-HQFO-00501)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS)*, (20-cv-00316), plaintiff filed a FOIA request on July 16, 2018, seeking records pertaining to senior officials using the following terms “Operation Janus”, “Operation Second Look” and “denaturalize”, “HFE” and “Historical Fingerprint Enrollment” from January 20, 2017, through the present. On June 30, 2022, the United States Citizenship and Immigration Services (USCIS) released 289 pages of records to the plaintiff.
- In the matter of *Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS)* (20-cv-00316), plaintiff filed a FOIA request on July 16, 2018, seeking records pertaining to senior officials using the following terms “Operation Janus”, “Operation Second Look” and “denaturalize”, “HFE” and “Historical Fingerprint Enrollment” from January 20, 2017, through the present. On June 30, 2022, USCIS released to the plaintiff 633 pages of records and 10 excel sheets to the plaintiff.
- In the matter of *Sierra Club v. U.S. Customs and Border Protection (CBP)* (17-cv-05273) plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On June 30, 2022, the U.S. Customs and Border Protection (CBP) issued its thirty-eighth interim release consisting of 1,914 pages of records to the plaintiff.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS)* (20-cv-03000), plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants. On June 30, 2022, the U.S. Citizenship and Immigration Services (USCIS) released 459 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS)*, (21-cv-01925), plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam

Walsh Act. On June 30, 2022, the U.S. Citizenship and Immigration Services (USCIS) released 11 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) related to the death of Anthony Jones also known as Henry Missick. On June 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 85 pages of records to the plaintiff.
- In the matter of the *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to HSI Special Agent Handbooks, memoranda, or training materials issued from January 21, 2017, through the present. On June 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 602 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS) (18-cv-01531)*, plaintiff filed a complaint on June 27, 2018, seeking records pertaining to the separation of adult family members from minor children, complaints referencing family separation received by the agencies, and data capturing the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On June 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 530 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to the creation, implementation, or oversight of supervision programs including Intensive Supervision Appearance Program (ISAP) and the ATD Case Management Pilot Program from December 19, 2019, through the present. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 832 pages of records to the plaintiff.
- In the matter of the *Southern Poverty Law Center and Al Otro Lado v. U.S. Department of Homeland Security (DHS) (19-cv-03438)*, plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining to policies, procedures, guidelines, and communications relating to the screening, inspection, or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On July 1, 2022, U.S. Customs and Border Protection (CBP) released its twentieth interim response, consisting of 754 pages of records to the plaintiff.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) (18-cv-01501)*, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent

reviews conducted by the field office director. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 7 excel spreadsheets to the plaintiff.

- In the matter of *Project on Government Oversight, Inc., v. U.S. Immigration and Customs Enforcement (ICE)(19-cv-03372)* plaintiff filed a FOIA request on November 07, 2019, seeking records pertaining to communications between government officials and representatives of Amazon or Amazon Web Services regarding facial recognition technology or Recognition. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 525 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Advocacy Project, The University of Maine v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-00066)*, plaintiff filed a FOIA request on March 3, 2021, seeking records pertaining to the approval of transfers of ICE detainees to or from ICE Detention Facilities in Maine, including, but not limited to, approval or clearance for transfers as required by ICE’s COVID-19 Pandemic Response Requirements, any records documenting transfers of detainees to or from the Cumberland County Jail, including, but not limited to Form I-203 and Form I-216 and any records concerning communications with the Cumberland County Jail regarding transfers of ICE detainees. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 2,251 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 541 pages of records to the plaintiff.
- In the matter of *Organized Communities Against Deportations, Immigrant Defense Project, Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE’s decision to expend resources to establish “Citizens Academies”. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 75 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to final talking points prepared for Secretary Nielsen regarding the Migrant Protection Protocols and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana and the expansion of the protocol to additional ports of entry. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 326 pages of records to the plaintiff.
- In the matter of *ACLU v U.S. Immigration Customs Enforcement (ICE) (22-cv-01291)*, plaintiff filed FOIA requests on February 28, 2022, seeking records pertaining to ICE’s Intensive Supervision Appearance Program (ISAP) program as well as records pertaining to the participation of Alban Nganbou in the ISAP program. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 143 pages of records to the plaintiff.

- In the matter of *Electronic Frontier Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-01957)*, plaintiff filed a FOIA request on March 28, 2022, seeking records pertaining to agreements with SRA International pursuant to the Visa Lifecycle Vetting Initiative (VLVI), an immigration screening and vetting program that evolved from former President Donald Trump’s “extreme vetting” proposal. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 456 pages of records to the plaintiff.
- In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00017)* plaintiff filed a FOIA request on January 7, 2022, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On July 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 236 pages of records to the plaintiff.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of Homeland Security (DHS) (21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to the "last-in-first-out" (LIFO) system under which USCIS gives priority to the most recently filed affirmative asylum applications when scheduling interviews. On July 5, 2022, U.S. Citizenship and Immigration Services (USCIS) released three Excel spreadsheets and 709 pages of records to the plaintiff.
- In the matter of *Justice Action Center and Immigrant Defenders Law Center v. U.S. Department of Homeland Security (DHS)* plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to Title 42 expulsions of asylum seekers. Plaintiff filed suit on September 22, 2021, claiming injunctive relief. On July 5, 2022, U.S. Customs and Border Protection (CBP) issued a third interim response consisting of 23 pages of records to the plaintiff.
- In the matter of *Clergy and Laity United for Economic Justice v. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) (21-cv-01214)*, plaintiff filed a FOIA request on August 4, 2020, seeking records pertaining to credible fear of persecution or torture interviews and training material shared with officers conducting credible fear interviews dated on or after January 1, 2019. On July 6, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,274 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-00290)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants and visa applicants’ social media information for the purpose of conducting “extreme vetting. On July 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released 255 pages of records to the plaintiff.
- In the matter of *HIRC v. U.S. Department of Homeland Security (DHS) (21-cv-12030)*, plaintiff filed a FOIA request on December 13, 2021, seeking records submitted by ICE to the Office of Inspector General and the Office of Civil Rights and Civil Liberties relating to ICE detainees placed into segregated housing. On May



11, 2022, U.S. Immigration and Customs Enforcement (ICE) released 509 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
June 30, 2022- July 6, 2022  
DHS Privacy Office  
July 5, 2022  
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:

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- On June 30, 2022, **Andrew Free** a representative of *MuckRock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to DHS’s FOIA office authorization to place non-exempt public records responsive to FOIA requests into a password-protected document; the Standard Operating Procedure used by the DHS FOIA Office to assign non-exempt records a password; contract materials with any third-party reflecting monies paid by DHS to outside contractors for password-protecting FOIA documents; records reflecting the total time FOIA Office personnel dedicated during FY20, FY21 and FY22 to password-protecting records and governing policy denoting when password protection is appropriate, and when it is not. (Case Number 2022-ICFO-22424)
- On June 30, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications from Director Wendy Howe and Supervisory Public Affairs Specialist John Verrico containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo” from January 21, 2021, to June 29, 2022. (Case Number 2022-HQFO-01320)
- On June 30, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington D.C., requested from the Cybersecurity and Infrastructure Security Agency (CISA) records pertaining to email communications from several senior officials within the Office of External Relations containing the terms: “off the record”, “OTR”, “not for attribution”, “on background”, “on the record”, “on deep background” “anonymous”, “close hold”, “not for release”, “FOUO”, “Sensitive”, and “Embargo” from January 21, 2021, to June 29, 2022. (Case Number 2022-NPFO-00158)
- On June 30, 2022, **Ian Head**, a representative of the **Center for Constitutional Rights** in Los Angeles, California, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the requests for interpreters by Cameroonian immigrants, or USCIS staff assisting Cameroonian immigrants, during their

proceedings with USICS, from January 1, 2018, through January 19, 2021. (Case Number COW 2022-003213)

- On June 30, 2022, **Adam Marshall**, a representative of *Reporters Committee for Freedom of the Press* in Washington, D.C., requested from the Federal Law Enforcement Training Center (FLETC) records pertaining to FOIA requests in the Fiscal Year 2017 through 2021, that contain the terms: “neither confirm nor deny”, “neither confirms nor denies”, “confirm or deny”, “existence or nonexistence”, “existence or non-existence”, and “vel non”. (Case Number FLETC FOIA 22-165)
- On June 30, 2022, **Zach Stieber**, a representative of *The Epoch Times*, in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to preliminary action reports of border patrol agents that were accused of using whips against illegal immigrants in Del Rio, Texas, from September 1, 2021, to January 27, 2022. (Case number CBP-2022-099517)
- On July 14, 2022, Paige Tortorelli, a media representative with CNBC in Chicago, Illinois, requested from U.S. Citizenship and Immigration Services (USCIS) data for all applications for permanent citizenship requested by Afghan refugees that were granted Temporary Protection Status from August 1, 2021, through the present. (Case Number USCIS COW2022003449)
- On June 30, 2022, **Dillon O Collier**, a representative of *KSAT 12*, in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to surveillance footage of tractor-trailers in Encinal, Texas checkpoint on June 27, 2022. (Case number CBP-2022-099283)
- On June 30, 2022, **Frank Ferrira**, a private individual in Alexandria Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the DHS General Counsel’s review of the discipline processes as noted in a DHS press release of June 16, 2022. (Case Number 2022-HQFO-01330)
- On June 30, 2022, **Kyle Dunphey**, a representative of *Deseret News*, in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) records pertaining to geographic data on the number of sponsors who signed up for the “Uniting for Ukraine” program. (Case number CBP-2022-099803)
- On July 1, 2022, **Krista Oehlke**, a representative of **ACLU of Massachusetts**, in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records regarding Migrant Protection Protocols, communications, and guidance for the following: (1) Chief Patrol agents and Directorate Chiefs how border patrol agents check “alien” classification boxes on Notices to Appear (“NTAs”) for noncitizens; (2) legal memoranda or other records concerning the legality of issuing NTAs with unchecked or blank “alien” classification boxes; and (3) training materials how border patrol agents check “alien” classification boxes on NTAs. (Case number CBP-2022-100086)
  - On July 01 2022, Mr. Gabrielle Russon, a journalist with Florida Politics in Orlando, Florida, requested from the United States Coast Guard (USCG) a copy of the inspection

reports pertaining to the Disney Wish cruise line ship. (Case Number USCG 2022-CGFO-01967)

- On July 4, 2022, **Katie Ann McGrath**, a media representative with *Blink Films UK* in London, United Kingdom, requested from U.S. Citizenship and Immigration Services (USCIS) immigration documentation on Anzor Tsarnaev and Zubeidat Tsarnaeva - the parents of Boston Bombers, Dzhokhar and Tamerlan. (Case Number USCIS COW2022003283)
- • On July 04 2022, **Mr. Sukhpal Singh**, a master mariner with Maritime Professional in Chandigarh, Punjab, India requested from the United States Coast Guard (USCG) any and all records related to NTSB and USCG investigation into tanker ATINA accident. (Case Number USCG 2022-CGFO-01990)
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- • On July 04 2022, **Mr. Sukhpal Singh**, a master mariner with Maritime Professional in Chandigarh, Punjab, India requested from the United States Coast Guard (USCG) records relating to unlawful & illegal Maritime Operations. (Case Number USCG 2022-CGFO-01992)
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- • On July 04 2022, Mr. Chase Rogers, a reporter with the Corpus Christi Caller Times in Corpus Christi, Texas, requested from the United States Coast Guard (USCG) copies of initial incident data, caller information and supplemental reports related to a Celanese-owned pipeline leak of methanol on April 28, 2022, in Corpus Christi, Texas. (Case Number USCG 2022-CGFO-01983)
- On July 5, 2022, **Sherri Kukla**, a reporter with *S&S Publishing Inc.*, in Borrego Springs, California, requested from U.S. Customs and Border Protection (CBP) the license plate of the vehicle that went through the U.S. Border Patrol checkpoint on Highway 86 on February 10, 2022, at 19:29:51. (Case number CBP-2022-100510)
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- On July 5, 2022, Nick Schwellenbach, a representative from non-profit organization, **Project On Government Oversight (POGO)**, Washington, D.C. requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) All records sent to and/or in the possession of Inspector General Joseph Cuffari, Deputy Inspector General and Chief of Staff Kristen Fredricks, Principal Deputy Inspector General Glenn Sklar, and/or DHS official Ellen McSweeney about the Office of Inspector General project titled "CBP, ICE, TSA, and USSS Handling of Employee Allegations of Sexual Harassment and Workplace Sexual Misconduct" prior to December 3, 2020. (Case No. 2022-IGFO-00217)
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- • On July 05 2022, **Mr. Jeff Stover**, a senior director of environmental solutions with FTI Consulting in Bellingham, Washington, requested from the United States Coast Guard (USCG) copies of the proposed U.S.C.G. Search and Rescue Station, Bellingham, Washington, Landau Associates, Inc., July 15, 1994 report; Soil, Sediment, and Groundwater Investigation, U.S. Coast Guard Olivine Site, Bellingham, Washington, Harding Lawson Associates, March 27, 1995 report. (Case Number USCG 2022-CGFO-01993)
- • On July 05 2022, **Mr. Michael Casey**, a press member with The Associated Press, requested from the United States Coast Guard (USCG) copy of all records related to the search and rescue of an individual. (Case Number USCG 2022-CGFO-01986)
- On July 5, 2022, **Brittany Johnson**, a representative with **KCRA 3 News** in Sacramento, CA, requested from the Transportation Security Administration Security (TSA) video of passenger James Cooper going through the TSA Checkpoint at Sacramento International Airport with a loaded gun in his bag on March 3, 2022. (Case Number TSA 2022-TSFO-00699)
- On July 6, 2022, **Nick Schwellenbach**, a representative of the **Project on Government Oversight** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the results of a 45-day review on the employee disciplinary process directed by Secretary Mayorkas. (Case Number 2022-HQFO-01347)
- On July 6, 2022, **Jack Gillum**, a representative of **Bloomberg News** in New York, New York., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from Joshua Henry sent or received between June 20, 2022, and July 6, 2022. (Case Number 2022-HQFO-01349)

### Late Requests:

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- On June 24, 2022, **Mrs. Luca Waters**, a reporter with **Bloomberg News** in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to requests of the Jones Act for oil products from January 1, 2022, to June 30, 2022. (Case number CBP-2022-096979)
  - On June 26 2022, Mr. Chris Stanley, an individual with Functional Government Initiative in Washington, District of Columbia, requested from the United States Coast Guard (USCG) any and all records from May 01, 2022 to present related to public webinars or other events open to the public, focused on the Pride Month, Gender Identity, Pronouns and LGBT. (Case Number USCG 2022-CGFO-01911)
  - • On June 28 2022, Mr. Dave Beaty, a senior producer with Dreamtime Entertainment in Fort Myers, Florida, requested from the United States Coast Guard (USCG) any and all records related to the USCG law information investigation and subsequent boarding of the BASS STRAIT bulk carrier. (Case Number USCG 2022-CGFO-01956)

- On June 29 2022, Mr. Caleb Miller, an individual in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) a copy of rosters with names and duties/responsibilities of all members of the USCG Military Unvaccinated Crisis Action Team. (Case Number USCG 2022-CGFO-01943)
  - On June 29 2022, Mr. Roman Jankowski, a senior investigative counsel with The Heritage Foundation in Washington, District of Columbia, requested from the United States Coast Guard (USCG) all communications and attachments related to individuals within the USCG Office of Public Affairs. (Case Number USCG 2022-CGFO-01968)
- On June 29, 2022, **Mike Howell**, an associate with *The Heritage Foundation*, in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) all communications and attachments from specific individuals in the Office of Public Affairs discussing in or off the record and embargo, between the dates of January 21, 2021, to June 29, 2022. (Case number CBP-2022-099250)
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- On June 29, 2022, **Nick Bauer**, an associate with *Democratic National Committee*, in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) all communications and attachments between Senator Tom Cotton, Troy Miller, Benjamin Huffman, Raul Ortiz, Marguerite Lise Clavel, Robert E. Perez, Mark Morgan, and Rodney Scott, from January 3, 2021, to present. (Case number CBP-2022-098902)
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- On June 29, 2022, **David C. Beaty**, an individual, in Fort Myers, Florida, requested from U.S. Customs and Border Protection (CBP) all reports, documents, and emails relating to an investigation of the BASS STRAIT (Bulk Carrier) in or around the Port of Long Beach, CA in July 2019. (Case number CBP-2022-098535)
- On June 29, 2022, **Camryn E Garza**, a news reporter with *The Daily Dot*, in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) all communications made by employees or officials mentioning the 6-to-3 ruling of Egbert v. Boule made on June 8th 2022. (Case number CBP-2022-098610)
- On June 29, 2022, **Maren Machles**, an associate with the *Project on Government Oversight*, in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) records relating to an investigation involving Claudia Patricia Gomez Gonzalez. (Case number CBP-2022-098604)
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- On June 29, 2022, **Mike Howell**, a representative with **The Daily Signal / The Heritage Foundation** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all communications between January 21, 2021, through June 29, 2022, from the following individuals within the Office of Public Affairs: Laura Patching, Deputy Chief; Carlos Muñoz-Acevedo, Chief of Public Engagement; Joseph Holstead, Chief of Media Affairs; Timothy Ward, Chief of Multimedia; and Kathryn Catania, Chief of Plain Language, using any of the following terms in the email or in the subject line: off the record, off-the-record, OTR, not for attribution, on background, on-the-record, on the record, on deep

background, anonymous, close hold, close-hold, not for release, FOUO, Sensitive, Embargo, Embargoed. (Case Number USCIS COW2022003189)

- On July 1, 2022, **Adam Marshall**, a representative with the **Reporters Committee for Freedom of the Press** in Washington, DC, requested from the Transportation Security Administration Security (TSA) copies of all letters and correspondence sent from your agency to FOIA requesters in fiscal years 2017, 2018, 2019, 2020 and 2021, that contain any of the following phrases: “neither confirm nor deny”, “neither confirms nor denies”, “confirm or deny”, “existence or nonexistence”, “existence or non-existence” and “vel non”. (Case Number TSA 2022-TSFO-00698)

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### III. Freedom of Information Act Releases

- On June 30, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel**, a media representative with **MuckRock News**, in Somerville, Massachusetts, 251 pages of records consisting of documents pertaining to all emails sent to, from, or copied to DHSBeijing.CIS@uscis.dhs.gov, containing the following non-case-sensitive keystring: "whistleblower". The requested search to be conducted from January 1, 2014, through January 1, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number USCIS COW2019500545) The release is uploaded into SharePoint: [Click here to view](#)
- On June 30, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel**, a media representative with **MuckRock News**, in Somerville, Massachusetts, 16 pages of records consisting of documents pertaining to emails sent to, from, or copied to sandra.m.healthman@uscis.dhs.gov containing key words kushner, qiaowai or money laundering. The requested search to be conducted from January 1, 2014, through January 1, 2018. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS COW2019500682) The release is uploaded into SharePoint: [Click here to view](#)
- On June 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Wayne Ma**, a media representative with **The Information** in San Francisco, California, one spreadsheet consisting of I-129 H1B Petitions by IBM for beneficiaries with a country birth of India from January 1, 2008, through November 4, 2019. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS COW2019501605) The release is uploaded into SharePoint: [Click here to view](#)

On June 30, 2022, U.S. Customs and Border Protection (CBP) issued to **Mr. Alexander Hooper**, a reporter with **Fox News** in New York, New York, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May

24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-097349)

On July 1, 2022, U.S. Customs and Border Protection (CBP) released to **Nick Mattes**, an individual in Round Rock, Texas, 14 pages of correspondence to and from U.S. Senator John Cornyn's office in response to his request for correspondence to and from the offices of U.S. Senators John Cornyn and Kay Bailey Hutchison: WF# 638042, dated 3/2/07; WF# 670582, dated 5/3/07; WF# 740586, dated 11/27/07; WF# 773012, dated 5/14/08; and WF# 778372, dated 6/16/08. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2020-058081)

On July 5, 2022, U.S. Customs and Border Protection (CBP) released to **Vicki Gaubeca**, a representative of **Alliance San Diego** in Tucson, Arizona, six pages consisting of CBP Directive 4510-038, Response to Use of Force Incidents. This record was released in full. (Case number CBP-2022-042413)

On July 5, 2022, U.S. Customs and Border Protection (CBP), issued to **Sherri Kukla**, a reporter with **S&S Publishing Inc.**, in Borrego Springs, California, a full denial in regard to her request for the license plate of the vehicle that went through the U.S. Border Patrol checkpoint on Highway 86 on February 10, 2022, at 19:29:51. These records were withheld pursuant to FOIA exemptions 6, 7(C). (Case number CBP-2022-100510)

- On July 5, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel Scott**, a media representative with **MuckRock News**, in Somerville, Massachusetts, 66 pages of records consisting of documents pertaining all electronic records sent to, sent from, or copied to USCIS.ImmigrantInvestorProgram@uscis.dhs.gov from January 1, 2015, through the present, containing the non-case sensitive keyword "Greystone". Portions of the release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number USCIS COW2019500232) The release is uploaded into SharePoint: [Click here to view](#)
- On July 6, 2022, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) will release to **Jason Leopold**, a reporter for **BuzzFeed News** in Beverly Hills, California, 86 pages records pertaining to communications, photographs, directives, and assessments relating or referring to "Bans off Our Bodies," Planned Parenthood, abortion rights, anti-abortion, pro-choice and reproductive rights protests held in several US cities. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2022-FPFO-00161)
  - On July 7, 2022, the Department of Homeland Security (DHS) Privacy Office will release to Mark Walker, a representative of the New York Times in Washington, D.C., eight pages of records pertaining to internal and external emails from U.S. Secret Service



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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of **Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS), (1:20-cv-00316-RCL)**, plaintiff filed a FOIA request on July 16, 2018, seeking records “regarding the following email accounts using the search terms: Operation Janus, Operation Second Look and “denaturaliz\*” which should include its variants: denaturalized, denaturalization denaturalize, HFE and Historical Fingerprint Enrollment. On June 30, 2022, USCIS released to the plaintiff 289 pages of records.
- In the matter of **Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)** plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On June 30, 2022, CBP issued its thirty-eighth interim release consisting of 1,914 pages of emails associated attachments.
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- In the matter of **Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS), (1:20-cv-00316-RCL)**, plaintiff filed a FOIA request on July 16, 2018, seeking records “regarding the following email accounts using the search terms: Operation Janus, Operation Second Look and “denaturaliz\*” which should include its variants: denaturalized, denaturalization denaturalize, HFE and Historical Fingerprint Enrollment. On June 30, 2022, USCIS released to the plaintiff 633 pages of records and 10 Excel data sets. complaint
- In the matter of **Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (3:20-cv-03000)**, plaintiff filed a FOIA request on December 10, 2019, seeking records which relate to the discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On June 30, 2022, USCIS released to the plaintiff 459 pages of records.
- In the matter of **Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS), (3:21-cv-01925)**, plaintiff filed a FOIA request on August 31, 2021, seeking records related to the adjudications of no risk determinations under the Adam Walsh Act, Pub. L. 109-248 and 42 USC 16911 et seq. On June 30, 2022, USCIS released 11 pages of records.

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- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al.*, (1:20-cv-03204), plaintiff filed a FOIA request on March 20, 2020, requesting records pertaining to all Mortality Reviews created by the Immigrant Health Service Corps (“IHSC”) regarding the death of Anthony Jones aka Henry Missick, all records relied upon to create the above mortality review, any communications or regarding this event between IHSC and Core Civic and between IHSC and any people employed at Adams County Detention Center (“ACDC”), any root cause analysis created by the IHSC for any Sentinel Event occurring at. On June 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 85 pages of records.
- In the matter of the *Brennan Center for Justice v U.S. Immigration and Customs Enforcement (ICE)* (1:21-cv-02443-JSR), plaintiff filed a FOIA request on June 19, 2018, seeking the following HSI Special Agent Handbooks, as identified in the Index to the Special Agent Manual in the version most recently finalized for agency use, Counterterrorism & Criminal Exploitation Investigations Handbook, Human Smuggling & Trafficking Investigations Handbook, Narcotics and Transnational Organized Crime Rewards Program Handbook, National Security Investigations Handbook, Investigative Methods Handbook and Any memoranda or training materials issued from January 21, 2017 to the date of this request that purport. On June 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 602 pages of records.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS) (18-cv-01531)*, plaintiff filed a complaint on June 27, 2018, seeking records pertaining to the separation of adult family members from minor children, complaints referencing family separation received by the agencies, and data capturing the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On June 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office will release 530 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
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- In the matter of the *Immigrant Defense Project v. ICE* Case 22-cv-1153, plaintiff filed a FOIA request on February 10, 2022, seeking any and all records received, maintained, or created by ICE’s New York and Newark Field Offices, or ICE Headquarters, related to the creation, implementation, or oversight of supervision programs including, but not limited to, OREC, OSUP, parole, bond, and ATD (including ISAP and the ATD Case Management Pilot Program) from December 19, 2019 to pres. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 832 pages of records.
- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. DHS et al. (1:19-cv-3438-CJN)*, plaintiff filed a FOIA request on May 31, 2019, seeking all policies, procedures, guidelines, and communications relating to the screening, inspection or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On July 1, 2022, CBP released its twentieth interim response, consisting of 754 pages of records to the plaintiff.

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- In the matter of BuzzFeed INC. v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01501-KBJ), plaintiff filed a FOIA request on September 15, 2017, requesting records for the time period beginning January 1, 2016, all written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 7 excel spreadsheets.
- In the matter of Project on Government Oversight, Inc., v. ICE, et, al.; 1:19-cv-03372, plaintiff filed a FOIA request on November 07, 2019, requesting any communications between government officials and representatives of Amazon or AWS regarding facial recognition technology or Recognition. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 525 pages of records.
- In the matter of Immigrant Legal Advocacy Project, University of Maine v. ICE et. al. (2:21-cv-00066-JAW), plaintiff filed a FOIA request on March 3, 2021, requesting records pertaining to any records approving transfers of ICE detainees to or from ICE Detention Facilities in Maine, including, but not limited to, approval or clearance for transfers as required by ICE’s COVID-19 Pandemic Response Requirements, any records documenting transfers of detainees to or from the Cumberland County Jail, including, but not limited to Form I-203 (Notice to Detain or Release) and Form I-216 (Record of Person and Property Transfer) and any records concerning communications with the Cumberland County Jail regarding transfers of ICE detainees. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 2,251 pages of records.
- In the matter of Lindsay Nash v. ICE (1:21-cv-04288-JPC), plaintiff filed a FOIA request on December 26, 2019, seeking seeking data regarding administrative arrest warrants and administrative subpoenas. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 541 pages.
- In the matter of OCAD, IDP, and CCR v. ICE 21-cv-02519, plaintiff filed a FOIA request on June 29, 2020, seeks how and why ICE has decided to expend resources to establish “Citizens Academies”. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 75 pages of records.
- In the matter of American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:21-cv-01171-TNM), plaintiff filed a FOIA request on July 16, 2021, seeking records related to all final talking points prepared for Secretary Nielsen regarding the MPP and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana, expansion of the protocol to additional ports of entry, etc. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 326 pages of records.
- In the matter of Tammy Jane Owen v U.S Immigration and Customs Enforcement 2:22-cv-00550, plaintiff filed a FOIA request on January 28, 2022, the encompasses FOIA requests 2021-ICFO-32419 (AOL “Meta-FOIA” request) and 2022-ICFO-07670 (AOL CRCL ICE Detention Center FOIA request). On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 449 pages of records.

- • In the matter of *ACLU v ICE* 22-cv-01291, plaintiff filed FOIA requests on February 28, 2022, seeking various records pertaining to ICE's ISAP program as well as records pertaining to the participation of ALBAN NGANBOU, A213-190-071 in the ISAP program. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 143 pages of records.
- • In the matter of *EFF v. DHS et al* (3:22-cv-01957-JCS), plaintiff filed a FOIA request on March 28, 2022, seeking records all agreements with SRA International pursuant to the VLVI, this includes but is not limited to agreements pursuant to BPAs 70CMSD18A00000003, 70CMSD21FC0000011 and 70CMSD19FC0000020. On July 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 456 pages of records.
- • In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement* Case No. 1:22-cv-00017-CG-JHR, plaintiff filed a FOIA request on January 07, 2022, requested records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On July 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 236 pages of records.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (1:21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to "last-in-first-out" (LIFO) system under which USCIS gives priority to the most recently filed affirmative asylum applications when scheduling interviews - USCIS returned to LIFO (from FIFO) on January 29, 2018. Any and all related records prepared, received, transmitted, collected and/or maintained by USCIS dated on or after January 1, 2017. On July 5, 2022, USCIS released to the plaintiff three Excel spreadsheets and 709 pages of records.
- In the matter of *Justice Action Center and Immigrant Defenders Law Center vs. DHS, et al* plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to Title 42 expulsions of asylum seekers. Plaintiff filed suit on September 22, 2021, claiming injunctive relief. On July 5, 2022, U.S. Customs and Border Protection (CBP) issued a third interim response consisting of 23 pages of statistics pertaining to Title 42.
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- In the matter of *Clergy and Laity United for Economic Justice et al., v. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) (2:21-cv-01214)*, plaintiff filed a FOIA request on August 4, 2020, seeking documents dated on or after January 1, 2019, involving in whole or in part instructions regarding the conduct of or decisions in credible fear of persecution or torture interviews and all training material shared with officers conducting credible fear interviews dated on or after January 1, 2019. On July 6, 2022, USCIS released to the plaintiff 1,274 pages of records.
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- • In the matter of *ACLU v. DOJ et al* Case 3:18-cv-00290, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants' and visa applicants' social media information for the

purpose of conducting “extreme vetting. On July 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 255 pages of records.

- In the matter of HIRC. v. DHS; (1:21-cv-12030-DJC), plaintiff filed FOIA requests on December 13, 2021, seeking records submitted by ICE to DHS/OIG and CRCL relating to ICE detainees placed into segregated housing. On May 11, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 509 pages of records.
- In the matter of Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (1:21-cv-04440), plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to "last-in-first-out" (LIFO) system under which USCIS gives priority to the most recently filed affirmative asylum applications when scheduling interviews - USCIS returned to LIFO (from FIFO) on January 29, 2018. Any and all related records prepared, received, transmitted, collected and/or maintained by USCIS dated on or after January 1, 2017. On July 5, 2022, USCIS released to the plaintiff three Excel spreadsheets and 709 pages of records.
- 
- In the matter of Clergy and Laity United for Economic Justice et al., v. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) (2:21-cv-01214), plaintiff filed a FOIA request on August 4, 2020, seeking documents dated on or after January 1, 2019, involving in whole or in part instructions regarding the conduct of or decisions in credible fear of persecution or torture interviews and all training material shared with officers conducting credible fear interviews dated on or after January 1, 2019. On July 6, 2022, USCIS released to the plaintiff 1,274 pages of records.
-

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
July 14, 2022- July 20, 2022  
DHS Privacy Office  
July 25, 2022  
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:

- Nothing significant to report

**II. Freedom of Information Act Requests**

- On July 14, 2022, **Paige Tortorelli**, a representative of **CNBC** in Chicago, Illinois, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to applications for permanent citizenship requested by Afghan refugees that were granted Temporary Protection Status from August 1, 2021, through the present. (Case Number COW 2022-003449)
- On July 14, 2022, **Ed Gallek**, a representative of **FOX 8 News** in Cleveland, Ohio, requested from the United States Coast Guard (USCG) records pertaining to reports, citations, and fines issued by the USCG against Norfolk Southern for its operation of a lift bridge over the Cuyahoga River in Cleveland. (Case Number 2022-CGFO-02051)
- On July 14, 2022, **Sean Pribyl**, a representative of **Holland & Knight LLP** in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to the marine casualty investigation Report of Investigation into the grounding of the Ever Forward which occurred on March 13, 2022. (Case Number 2022-CGFO-02076)
- On July 14, 2022, **Chris Nelson**, a representative of **Judicial Watch** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email correspondences, Israeli police reports, victim statements, photographs, and video obtained, of an alleged assault that occurred involving a Secret Service Agent on July 11, 2022, near the Mahane Yehuda Market, in Jerusalem, Israel. (Case Number 2022-HQFO-01395)
- On July 14, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C., requested from the Federal Emergency Management Agency (FEMA) records pertaining to email correspondences between FEMA employees and any email account using the domain name “@cruz.senate.gov” from February 10, 2021, through February 27, 2021. (Case Number 2022-FEFO-00704)
- On July 15, 2022, **Chris Nelson**, a representative of **Judicial Watch, Inc.** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email correspondences, memorandum, or briefings, maintained by the Director of USCIS that contain the terms: “inspected and

admitted”, “adjustment of status”, “temporary protected status”, and “TPS”. (Case Number COW 2022-003475)

- On July 15, 2022, **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications, safety and intelligence bulletins, and open-source reports mentioning or referring to the Freedom/Trucker Convoy in the Washington, D.C. area. (Case Number 2022-HQFO-01409)
- On July 15, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the policy and draft policies requiring a Member of Congress to obtain signed privacy release waivers from non-U.S. citizens who are charged, indicted or convicted of a crime, including individuals who are illegally in the United States. (Case Number 2022-HQFO-01398)  
On July 15, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Senior Officials that mention “Office of Professional Responsibility” and “whipping”. (Case number CBP-2022-105365)
- On July 15, 2022, **Ryan Shapiro**, a representative of **Property of the People** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to trade violations for synthetic turf products submitted to CBP through the e-Allegations Program. (Case number CBP-2022-105720)
- On July 16, 2022, **Michael Ayele**, a representative of **Advancement of Civil Liberties** in New York, New York, requested from the Office of Inspector General (OIG) records pertaining to the arrest of a suspect/person of interest surrounding the July 4, 2022 mass shooting which occurred at Highland Park, Illinois. (Case Number 2022-IGFO-00227)
- On July 16, 2022, **Micheal Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Assistant Secretary brief on Civil Unrest in the NOC, presented on the morning of January 7, 2021. (Case Number 2022-HQFO-01400)
- On July 18, 2022, **Sonya Ward**, a representative of **Tetra Tech Inc** in Whitehouse Station, New Jersey, requested from the United States Coast Guard (USCG) records pertaining to an oil spill in Bergen County, New Jersey. (Case Number 2022-CGFO-02086)
- On July 18, 2022, **Eric Geller**, a representative of *Politico* in Washington, D.C., requested from the Cybersecurity and Infrastructure Agency (CISA) records pertaining to comments on the "5G Security Evaluation Process Investigation" that were submitted to CISA. (Case Number 2022-NPFO-00173)
- On July 18, 2022, **Eric Geller**, a representative of *Politico* in Washington, D.C., requested from the Cybersecurity and Infrastructure Agency (CISA) records pertaining to emails relating to administrative subpoenas that CISA issued. (Case Number 2022-NPFO-00174)



- On July 19, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the investigation and allegations made against CBP agents “whipping” or otherwise engaging migrants attempting to cross into the United States in or near the Rio Grande River near Del Rio, Texas on September 19, 2021. (Case Number 2022-HQFO-01412)
- On July 19, 2022, **Mehreen Rasheed**, a representative of **American Oversight** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications sent by government officials mentioning or referring to the terms: “Masks”, “COVID”, “Coronavirus”, “PPE v. N95”, “surgical”. (Case Number 2022-HQFO-01436)
- On July 19, 2022, **Sandy Ertley**, a representative of **Roetzel** in Akron, Ohio, requested from the United States Coast Guard (USCG) records pertaining to the diesel fuel spill that occurred on March 03, 2022, at R&L Carriers. (Case Number 2022-CGFO-02090)
- On July 19, 2022, **Benjamin Wetmore**, a representative of *The Gateway Pundit* in St. Louis, Missouri, requested from U.S. Customs and Border Protection (CBP) records pertaining to the shooting at Robb Elementary School on May 24, 2022. (Case Number CBP 2022-016901)
- On July 20, 2022, **James Lysaght**, a private individual in Mineola, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to documents establishing the protocols for and processes by which the U.S. Government is distributing undocumented migrants which have crossed the Southern Border; documents which denote the number of undocumented Migrants that have failed to report for their scheduled immigration status hearing; documents which have estimated the cost to accommodate these migrants for the states and the federal budget. (Case Number 2022-HQFO-01437)
- On July 20, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to procurement documents for an awarded contract. (Case Number 2022-HQFO-01420)
- On July 20, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to procurement documents for an awarded contract. (Case Number 2022-HQFO-01421)

**Late Requests:**

- On June 17, 2022, **David Bier**, a representative of **The Cato Institute** in Alexandria, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications, to or from, any USCIS email account that contains any of the following terms: “travel ban report”, “extreme vetting report”, “vetting report”, “report on vetting”, “Secretary Nielsen”, “Proclamation 9645”, “Proclamation

9723”, “Proclamation 9983”, “Executive Order 13769”.(Case Number COW 2022-002959)

- On July 7, 2022, **Tracy Costa**, a representative of *ABC News*, in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the death of an individual aboard the USCG Cutter 3 that was in the Pacific Ocean on March 7, 1971. (Case Number 2022-CGFO-02053)

### III. Freedom of Information Act Releases

- On July 14, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Taylor Amarel Scott**, a representative of *MuckRock News* in Somerville, Massachusetts, 181 pages of records pertaining to communications from USCIS.ImmigrantInvestorProgram@uscis.dhs.gov from January 1, 2015, through the present, containing the term: "Greystone". Portions of the release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number COW 2019-500232)
- On July 14, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Mary Sell**, a representative of *Alabama Daily News* in Marietta, Georgia, four pages of records pertaining to public information on the number of H-2B visas issued in each of the last five years in the state of Alabama; the names of the companies that requested the visas and how many visas they requested. (Case Number COW 2019-500871)
- On July 14, 2022, U.S. Customs and Border Protection (CBP), released to **Timothy Warren**, a representative of *Warren News*, in Washington, D.C., records pertaining to the 21<sup>st</sup> Century Customs Framework Task Force. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2021-062254)
- On July 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Sherrie Royster**, a representative of *ACLU of Nevada* in Las Vegas, Nevada, 16 pages of records pertaining to immigration detainers and civil immigration warrants issued to several detention centers in Nevada. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-21577)
- On July 15, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mehreen Rasheed**, a representative of **American Oversight** in Washington, D.C., 5 pages of records pertaining to daily briefings or situation reports prepared for or provided to DHS leadership that contain information regarding the ongoing coronavirus outbreak. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2022-HQFO-00925)
- On July 15, 2022, the United States Secret Service (USSS) released to **Zachery Cohen** a representative of *CNN*, Washington, D.C., a 1-page record pertaining to the Presidential movements to and from the rally on the ellipse on January 6, 2021, back to the White House. (Case Number USSS 20220551)
- On July 18, 2022, U.S. Customs and Border Protection (CBP) released to **Caitlin Dickson**, a representative of *The Atlantic*, in New York, New York, two pages of

records pertaining to a memorandum on Zero Tolerance. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-012341)

- On July 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Sean Walsh**, a representative of *The Austin American-Statesman* in Austin, Texas, 699 pages and 1 Excel spreadsheet of records pertaining to detainee death reports for immigrant detainees who died in ICE custody including corrective action plans that resulted from in-custody deaths. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2018-ICAP-00158)
- On July 18, 2022, U.S. Customs and Border Protection (CBP) released to **Ian Haupt**, a representative of *The Northern Light*, in Bellingham, Washington, six pages of records pertaining to a confidential file dated January 26, 2017, which was filed in the U.S. Supreme Court Case, Erik Egbert v. Robert Boule. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2022-102235)
- On July 14, 2022, U.S. Customs and Border Protection (CBP) issued to **Adrian Norman**, a representative of *Timcast Media Group* in Frederick, Maryland, a full denial in response to his request for records pertaining to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-104371)
- On July 20, 2022, U.S. Customs and Border Protection (CBP) issued to **Benjamin Wetmore**, a representative of *The Gateway Pundit* in St. Louis, Missouri, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-106901)
- On July 20, 2022, the Cybersecurity & Infrastructure Security Agency (CISA) released to **Rachel Santasiero**, a representative of the **National Security Archive** in Washington D.C., 15 pages of records pertaining to the malware known as "Industroyer" or "Crash Override". (Case number 2022-NPFO-00043)
- On July 21, 2022, the United States Secret Service (USSS) released to **Justin McCarthy** a representative of **Judicial Watch**, in Washington, D.C., five pages of records pertaining to the use of U.S. Government funds to provide security and/or any other services to President Biden and any companions on their June 17-20, 2022, trip to Delaware. (Case Number USSS 20220541)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

## VI. Litigation

- In the matter of *American Immigration Council and Tahirih Justice Center v. United States Citizenship and Immigration Services (USCIS) (19-cv-02965)*, plaintiff filed a FOIA request on July 5, 2019, seeking records pertaining to the use of CBP officers to conduct credible and/or reasonable fear interviews. On July 14, 2022, the United States Citizenship and Immigration Services (USCIS) released 991 pages of records to the plaintiff.
- In the matter of the *Advocates for Basic Legal Equality, Inc. and the American Immigration Council v. U.S. Customs and Border Protection (CBP) (22-cv-00149)*, plaintiff filed a FOIA request on March 12, 2021, seeking records pertaining to communications regarding the Sandusky Bay Station's practices and procedures relating to apprehension, arrest, and/or seizure, racial profiling, and collaborations with state and local law enforcement. Plaintiff filed suit on January 28, 2022, claiming injunctive relief. On July 14, 2022, the U.S. Customs and Border Protection (CBP) released its eighth interim release consisting of 201 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered between ICE and Clearview AI, along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On July 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 401 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-02168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to written reports referred to in a memorandum from Tae D. Johnson to "All ICE Employees". On July 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel sheet of record to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) under the Johnson memorandum. On July 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the excel sheet of record to the plaintiff.
- In the matter of *ACLU v U.S. Immigration Customs Enforcement (ICE) (22-cv-01291)*, plaintiff filed FOIA requests on February 28, 2022, seeking records pertaining to ICE's Intensive Supervision Appearance Program (ISAP) program as well as records pertaining to the participation of Alban Nganbou in the ISAP program. On July 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 12 pages of records to the plaintiff.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (21-cv-02328)*, plaintiff

filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On July 14, 2022, the United States Citizenship and Immigration Services (USCIS) released 998 pages of records to the plaintiff.

- In the matter of *Lawyers Committee for Civil Rights v. U.S. Department of Homeland Security (DHS) (18-cv-00167) (2018-HQLI-00014)* plaintiff filed a complaint on October 24, 2021 seeking records pertaining to communications between DHS officials and members of the Presidential Advisory Commission on Election Integrity from January 20, 2017, through the present. On July 14, 2022, the Department of Homeland Security (DHS) Privacy Office released three pages of records in full to the plaintiff, while 12 pages are withheld in part pursuant to FOIA Exemptions 5 and 6.
- In the matter of *Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (20-cv-02348)*, plaintiff filed a FOIA request on April 28, 2020, seeking records pertaining to the "Analyzing the Persecutor Bar" training module, which is part of the RAIO Combined Training Course from January 1, 2019, through the present. On July 15, 2022, the United States Citizenship and Immigration Services (USCIS) released 101 pages of records to the plaintiff.
- In the matter of *ACLU Michigan v. U.S. Department of Homeland Security (DHS) (19-cv-03489)*, plaintiff filed a FOIA request on March 9, 2019, seeking records pertaining to US Citizens and lawfully present persons detained or deported by ICE; records related to ICE's Policies and Procedures Related to People with Mental Health Issues or Disabilities. On July 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 360 pages of records to the plaintiff.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)*, plaintiff filed a complaint on January 11, 2018, seeking records pertaining to emails sent or received by USCIS ombudsman Julie Kirchner, meetings attended, summaries for meetings, calendar-book entries, and phone-call logs. On July 15, 2022, the Department of Homeland Security (DHS) Privacy Office will release the 42<sup>nd</sup> interim response, consisting of 281 pages of records to the plaintiff.
- In the matter of *Ammad Omar, National Public Radio, Inc. v. U.S. Department of Homeland Security (DHS) (21-cv-09928)*, plaintiff filed a FOIA request on December 27, 2021, seeking records pertaining to the opening of detention facilities at former prisons; and communications related to the contracting process for detention center operators previously found to be deficient. On July 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 359 pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project v. United States Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS) (21-cv-09519)*, plaintiff filed a FOIA request on August 20, 2021, seeking records pertaining to USCIS systems, manuals, policies and

training materials from January 1, 2016, through the present. On July 15, 2022, the United States Citizenship and Immigration Services (USCIS) released two pages of records and three media files to the plaintiff.

- In the matter of *Americans for Prosperity Foundation v. U.S. Citizenship and Immigration Services (USCIS) (22-cv-01140)*, plaintiff filed a FOIA request on March 10, 2022, seeking records pertaining to the results of the Known Employer Pilot program from January 1, 2015, through the present. On July 15, 2022, the United States Citizenship and Immigration Services (USCIS) released 69 pages of records to the plaintiff.
- In the matter of *Reed Smith LLP v. U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP)(21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to the United States Border Patrol transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On July 18, 2022, the U.S. Customs and Border Protection (CBP) released its seventh interim response, consisting of 18 pages of records to the plaintiff.
- In the matter of *Organized Communities Against Deportations, Immigrant Defense Project, Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE’s decision to expend resources to establish “Citizens Academies”. On July 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 692 pages of records to the plaintiff.
- In the matter of *Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and Envision Freedom Fund v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-02885)* plaintiff filed a FOIA request on January 18, 2022, seeking records pertaining to policies, guidelines, or procedures relating to immigration bonds. On July 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 463 pages of records to the plaintiff.
- In the matter of *Make the Road New York and Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) (19-cv-04697) (2019-HQLI-0024) (2021-ICLI-00038)* plaintiff filed a complaint on April 25, 2019, seeking records pertaining to communications and analyses related to the Notice of Proposed Rulemaking (NPRM), the proposed regulation, and the comment review process, as related to Public Charge, as applied to immigration. On July 18, 2022, the Department of Homeland Security (DHS) Privacy Office released 103 pages of records to the plaintiff. Of the 103 pages, 24 are released in full, while 36 pages are withheld in part and 43 pages are withheld in full, pursuant to FOIA exemptions 5, 6, and 7(C).
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention

there. On July 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 591 pages of records to the plaintiff.

- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)* plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On July 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 449 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03280)*, plaintiff filed a complaint on January 11, 2022, seeking records pertaining to email communications between DHS Agency Officials, Senator Ron Johnson, and other external individuals. On July 19, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the July interim response, consisting of a 1 page of record to the plaintiff.
- In the matter of the *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083)* plaintiff filed a FOIA request on December 02, 2020, seeking records pertaining to contracts, memoranda of understanding, letters of commitment, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On July 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 213 pages of records to the plaintiff.
- In the matter of *Contreras & Metelska v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01148)* the plaintiff filed a FOIA request on May 4, 2021, plaintiff filed a FOIA request on May 11, 2021, seeking records pertaining to six current and former attorneys employed by Contreras & Metelska, PA. On July 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 167 pages of records to the plaintiff.
- In the matter of *RAICES v. U.S. Immigrations and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed FOIA requests on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On July 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released a handheld video clip of 7:30 of 51 minutes of video to the plaintiff.
- In the matter of the *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)* plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to HSI Special Agent Handbooks, memoranda, or training materials issued from January 21, 2017, through the present. On July 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 14 pages of records to the plaintiff.
- In the matter of *Center for Immigration Studies v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00566)*, plaintiff filed a FOIA request on November 22,

2021, seeking records pertaining to each alien removed by ICE in the Fiscal Year 2019 to the Fiscal Year 2021. On July 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 278 pages of records to the plaintiff.

- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE)*(21-cv-02153), plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to policies and guidance concerning the detention of a transgender or intersex person to include during the COVID-19 pandemic and training manuals, guides, memoranda, and other documents used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention. On July 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 492 pages of records to the plaintiff.
- In the matter of *The Center for Investigative Reporting v. U.S. Department of Homeland Security (DHS)* (21-cv-09633), plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On July 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 247 pages of records to the plaintiff.
- In the matter of *Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS)*(20-cv-00316), plaintiff filed a FOIA request on July 16, 2018, seeking records pertaining to senior officials using the following terms “Operation Janus”, “Operation Second Look” and “denaturalize”, “HFE” and “Historical Fingerprint Enrollment” from January 20, 2017, through the present. On July 20, 2022, the United States Citizenship and Immigration Services (USCIS) released 15 Excel data sets and 990 pages of records to the plaintiff.



## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

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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

**Freedom of Information Act (FOIA) Activity for the Week of  
July 21- July 27, 2022  
DHS Privacy Office  
August 1, 2022  
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 July 21, 2022, the U.S. Coast Guard (USCG) posted to the USCG FOIA public page the link related to the WAMS 07301BRIDGE RESPONSE (2 pages). WAMS 07301 BRIDGE RESPONSE.PDF (defense.gov)
- On July 21, 2022, the U.S. Coast Guard (USCG) posted to the USCG FOIA public page the link related to the WAMS 07301 FINAL REPORT (7 pages). FINAL WAMS 07301.PDF (defense.gov)
- On July 25, 2022, the U.S. Coast Guard (USCG) posted to the USCG FOIA Library January 1, 2022, through March 31, 2022, FOIA Log. (56 pages) FOIA LOGS APRIL 1 2022 TO JUNE 30 2022.PDF (defense.gov)

**II. Freedom of Information Act Requests**

- On July 21, 2022, **Paige Tortorelli**, a representative of *CNBC* in Chicago, Illinois, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the statistical data related to Temporary Protection Status applications submitted to the department from August 1, 2021, through the present. (Case Number COW 2022-003556)
- On July 21, 2022, **Sam Biddle**, a representative of *The Intercept* in Washington, D.C., requested from the Transportation Security Administration (TSA) records pertaining to the Statement of Work (SOW) for the “Babel Street Licenses Subscriptions”. (Case Number 2022-TSFO-00762)
- On July 21, 2022, **Hannah Dreier**, a representative of *The New York Times* in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to a database of T visa applications for principal human trafficking applicants since January 1, 2012. (Case Number COW 2022-003578)
- On July 21, 2022, **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the release of illegal border crossers from CBP custody from January 20, 2021, through the present. (Case Number CBP-2022-107582)
- On July 21, 2022, **Philip Jankowski**, a representative of *Dallas Morning News* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to Significant Incident Reports (SIR) generated by Border Patrol personnel who responded to the May 24, 2022, mass shooting incident at Robb Elementary School in Uvalde, Texas. (Case Number CBP-2022-107635)

- On July 21, 2022, **Aaron Greenspan**, a representative of *PlainSite* in San Francisco, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to correspondences between the CBP HQ office or the CBP facilities in Texas concerning the “Tesla” driving lane at the Nuevo Leon, Mexico border. (Case Number CBP-2022-107717)
- On July 21, 2022, **Carla Astudillo**, a representative of *The Texas Tribune* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to incident reports related to the shooting incident at Robb Elementary School in Uvalde, Texas on May 24, 2022. (Case Number CBP-2022-107738)
- On July 21, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to assessments, the use of federal taxpayer funds, the number of illegal border crossers and the use of non-governmental organizations in facilitating releases as it pertains to DHS and illegal border crossers (Case Number 2022-HQFO-01422)
- On July 21, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the Federal Emergency Management Agency (FEMA) records pertaining to assessments, the use of federal taxpayer funds, the number of illegal border crossers and the use of non-governmental organizations in facilitating releases as it pertains to DHS and illegal border crossers. (Case Number 2022-FEFO-00719)
- On July 22, 2022, **Anna Giaritelli**, a representative of the *Washington Examiner* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of noncitizens/migrants found deceased on the southwest border from October 1, 2021, through the present. (Case Number CBP-2022-108205)
- On July 22, 2022, **Sam Biddle**, a representative of *The Intercept* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to video footage, or visual data of any kind captured by the Tethered Aerostat Radar System located at Rio Grande City on April 9, 2022. (Case Number CBP-2022-108280)
- On July 22, 2022, **Kathryn Meyer**, a representative of the **International Refugee Assistance Project** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to social media vetting of refugees since January 20, 2021. (Case Number COW 2022-003589)
- On July 22, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications from Katherine Culliton-Gonzalez, an Officer for the Civil Rights and Civil Liberties Office, using any of the following terms: “processing pathway”, “pathway(s)”, “parole”, “PATD”, “CVN”, “Colombia”, “Nicaragua”, “Venezuela”, “SA(s)”, “T42”, “WA/NTA”, “NTA/OR”, “ATD”, “Cuban(s)”, “Venezuelan(s)”, “Nicaraguans(s)”, “Colombian(s)”. (Case Number 2022-HQFO-01444)

- On July 25, 2022, **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to documents and communications, to or from employees at the Office of Civil Rights and Civil Liberties mentioning any of the following terms: “National Terrorism Advisory System Bulletin”, “NTASB”, “MDM”, “mis-information”, “mal-information”, “dis-information”, “bulletin”, “mis- dis- and mal-information”, “domestic terrorism branch”, “CP3”, “Center for Prevention Programs and Partnerships”, “NSGP”, “HSGP”. (Case Number 2022-HQFO-01443)
- On July 25, 2022, **Maren Mackles**, a representative of the **Project on Government Oversight** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the apprehension and alleged assault of Anastasio Hernández Rojas on May 28, 2010, while being detained by CBP Border Patrol Officers. (Case Number CBP-2022-108719)
- On July 25, 2022, **Nicholas Erickson**, a representative of the **Republican National Convention** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the statistical data related to "gotaways" or "got aways" from January 20, 2021, through the present. (Case Number CBP-2022-108739)
- On July 25, 2022, **Ann Brown**, a representative of the **Center for Biological Diversity** in Portland, Oregon, requested from the United States Coast Guard (USCG) records pertaining to the approval, certification, or recertification of systems used to treat ballast water. (Case Number 2022-CGFO-02138)
- On July 25, 2022, **Michael Finch**, a representative of *The Times-Picayune* in New Orleans, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the final damage assessment related to Hurricane Ida for St. John the Baptist Parish, Louisiana, which is the methodology used for any surveys performed for estimates associated with the damage assessment. (Case Number 2022-FEFO-00652)
- On July 25, 2022, **Summy Xie**, a private individual requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the naturalization time of Chinese American actor Yifei Liu. (Case Number COW 2022-003616)
- On July 25, 2022, **Valerie Bauman**, a representative of *Newsweek* in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the monthly global evacuation numbers, P1 visa data, and P2 visa data of people admitted into the United States from Afghanistan since April 2021. (Case Number COW 2022-003617)
- On July 25, 2022, **Jacob Margolis**, a private individual in Pasadena, California requested from the Federal Emergency Management Agency (FEMA) records pertaining to the Integrated Public Alert & Warning System (IPAWS) and Wireless Emergency Alerts (WEA) issued between 2017 – 2022 in the state of California. (Case Number 2022-FEFO-00725)
- On July 25, 2022, **Brandi Kellam**, a representative of *CBS News* in Washington, D.C., requested from the Transportation Security Administration (TSA) records pertaining to

surveillance video on July 25, 2022, at Dallas Love Field airport related to an incident involving a discharged firearm. (Case Number 2022-TSFO-00779)

- On July 25, 2022, **Iris Hewlett**, a private individual requested from the Cybersecurity and Infrastructure Agency (CISA) records in the possession of the National Archives and Records Administration (NARA) pertaining to legal notices regarding Vulnerabilities Affecting Dominion Voting Systems, ImageCast X. (Case Number 2022-NPFO-00176)
- On July 26, 2022, **Elliott Tucker**, a private individual in Kingwood, Texas, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails sent to or by Robert Silvers, Kimberly O'Connor, or Serena Howith with a subject line that includes the following term: "FW: Horse Patrol PAG". (Case Number 2022-HQFO-01455)
- On July 26, 2022, **Sam Biddle**, a representative of *The Intercept* in Washington, D.C., requested from the Transportation Security Administration (TSA) records pertaining to emails exchanged between the TSA Office of Intelligence and Analysis and any email addresses ending in @dataminr.com from January 1, 2022, to July 25, 2022. (Case Number 2022-TSFO-00784)
- On July 26, 2022, **Taylor Stoneman**, a representative of **American Oversight** in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to "Reports of Investigation" reports completed by the Office of the Inspector General as part of the detainee death reviews for individuals who died in ICE custody. (Case Number 2022-IGFO-00244)

#### **Late Requests:**

- On June 23, 2022, **Kevin Bogardus**, a representative of *E&E News* in Arlington, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to the statistical data related to waivers of navigation laws, including the Jones Act, granted from January 20, 2021, through the present. (Case Number CBP-2022-096046)
- On July 11, 2022, **Aaron Schaffer**, a representative of the *Washington Post* in Washington D.C., requested from the Cybersecurity and Infrastructure Agency (CISA) records pertaining to emails to and from CISA Director Jen Easterly mentioning any of the following terms: "Cyber Incident Notification Act", "Cyber Incident Reporting Act", "incident reporting", "notification", "legislation", or "bill". (Case Number 2022-NPFO-00167)
- On July 20, 2022, **Alec Ferretti**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of Ivana Marie Trump. (Case Number COW 2022-003554)
- On July 20, 2022, **Valerie Gonzalez**, a representative of *The Monitor* in Edinburg, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining

to statistical data related to stash houses maintained by the Rio Grande Valley Border Patrol Sector from October 1, 2018, through July 20, 2022. (Case Number CBP-2022-107219)

- On July 20, 2022, **Mary Hall**, a representative of *NewsNation* in Chicago, Illinois, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of deaths, injuries, and rescues of Border Patrol Agents; the number of deaths, injuries, and rescues of undocumented immigrants and the number of patient contacts by medically trained Agents along the Southern Border from January 1, 2017, through the present. (Case Number CBP-2022-107361)

### III. Freedom of Information Act Releases

- On July 21, 2022, U.S. Customs and Border Protection (CBP) released to **Sameer Ahmed**, a representative of **Harvard Immigration and Refugee Clinical Program**, in Cambridge, Massachusetts, 79 pages of records pertaining to CBP's screening and detention of individuals with mental health issues. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-024098)
- On July 21, 2022, U. S. Customs and Border Protection (CBP) released to **Alexis Rivas**, a representative of *NBC San Diego*, in San Diego, California, seven pages of records pertaining to southwest border fence breaches, repairs, and costs. These records were released in full. (Case number CBP-2022-070160)
- On July 22, 2022, U. S. Customs and Border Protection (CBP) released to **Andrew Becker**, a representative of the *Center for Investigative Reporting*, in Emeryville, California, 14 pages of records pertaining to the Law Enforcement Technical Collection Program. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2018-000376)
- On July 25, 2022, the Transportation Security Administration (TSA) released to **Sarah McBride**, a representative of **Bloomberg LLP** in San Francisco, California, a no records response regarding her request for records pertaining to calendar entries or email correspondences, between executives at The Boring Company and DHS officials from January 1, 2021, to May 23, 2022. (Case Number 2022-TSFO-00591)
- On July 26, 2022, U.S. Customs and Border Protection (CBP) issued to **Philip Jankowski**, a representative of *Dallas Morning News* in Austin, Texas, a full denial in response to his request for records related to the shooting incident at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request were withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-107635)
- On July 26, 2022, the Cybersecurity and Infrastructure Security Agency (CISA) released to **Eric Geller**, a representative of *Politico* in Arlington, Virginia, 398 pages of records pertaining to reports and documents submitted to CISA by other agencies pursuant to the Emergency Directive (ED). Portions of this response are being withheld pursuant to FOIA Exemptions 6, 7(E), and 7(F). (Case number 2022-NPFO-00075)
- On July 26, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Jason Leopold**, a representative of *Buzzfeed News* in Beverly Hills,

California, 62 pages of records pertaining to the deployment of personnel from DHS to Portland, Oregon, and Chicago, Illinois in response to protest. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E) (Case Number 2021-HQFO-00554)

- On July 26, 2022, the Office of Chief Human Capital Officer released to **Kyle Peterson**, a representative of *The Wall Street Journal* in New York, New York, 54 pages of records pertaining to internal training materials presented to DHS staff in 2021 on the topic of diversity, equity and/or inclusion and any vendor contracts, agreements or invoices related to the creation and presentation of those training materials. Portions of this response are withheld pursuant to FOIA Exemption 6. (Case Number 2022-HQFO-00231)
- On July 26, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Nick Bauer** a representative of the **Democratic National Committee**, in Washington D.C., 271 pages of records pertaining to expense reports, reimbursement records, vouchers, invoices, and credit/travel cards statements incurred by Secretary Chad Wolf and his Chief of Staff John Gountanis between October 1, 2019, to April 1, 2020. Portions of this release were withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number 2020-HQFO-01386)
- On July 26, 2022, U.S. Customs and Border Protection (CBP) issued to **Carla Astudillo**, a representative of *The Texas Tribune* in Austin, Texas, a full denial in response to her request for records related to the shooting incident at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request were withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-107738)
- On July 27, 2022, U.S. Customs and Border Protection (CBP) released to **SangYeob Kim**, a representative of the **American Civil Liberties Union of New Hampshire** in Concord, New Hampshire 12 pages of records pertaining to non-checkpoint apprehensions by Border Patrol in the Swanton, New Hampshire Sector from January 17, 2021, through May 17, 2022. Portions of this request were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-079696)
- On July 27, 2022, the United States Coast Guard (USCG) released to **Rachel Deh-Ora**, 15 pages of records pertaining to the Marine Safety Information Bulletins related to Hurricane Sally in September of 2020, issued by the USCG Sector Mobile. (Case Number 2022-CGFO-01891)
- On July 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Kevin Pinkney**, a representative of **Arent Fox LLP** in Washington, D.C., a 1-page record pertaining to the Commercial Solutions Opening Pilot program established by Section 880 of the National Defense Authorization Act (NDAA) for the Fiscal Year 2017. Portions of this response are withheld pursuant to FOIA exemptions 6. (Case Number 2022-HQFO-00658)
- On July 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Reed Rubenstein**, a representative of **The America First Legal Foundation** in Washington D.C., a one-page record pertaining to communications to

or from the email address dcole@aclu from January 20, 2017, to April 6, 2022. Portions of this release were withheld pursuant to FOIA Exemptions 6. (Case Number 2022-HQFO-00849)

**IV. Freedom of Information Act Appeals**

- Nothing significant to report.

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

- Nothing significant to report.

**VI. Litigation**

- In the matter of *American Civil Liberties Union Foundation v. U.S. Customs and Border Protection (CBP) (21-cv-10430)*, plaintiff filed a FOIA request on August 17, 2020, under case number 2020-HQFO-01588, seeking records pertaining to the use of aerial surveillance associated with Civil Unrest surrounding the death of George Floyd. Plaintiff filed suit on December 7, 2021, claiming declaratory and injunctive relief. On July 21, 2022, U.S. Customs and Border Protection (CBP) released its first interim response consisting of five pages of spreadsheets to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924As filed by EB-5 Regional Centers for the fiscal year 2017. On July 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 62 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS), (21-cv-01925)*, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act. On July 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released four pages of records to the plaintiff.



### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
July 28, 2022- August 3, 2022  
DHS Privacy Office  
August 8, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On July 27, 2022, **Thad Moore**, a representative of *The Post and Courier* in Charleston, South Carolina, requested from the United States Coast Guard (USCG) records pertaining to an investigation into the death of an individual on board the USNS WILLIAM MCLEAN on or around June 27, 2019. (Case Number 2022-CGFO-02147)
- On July 28, 2022, **Kylie Mohr**, a representative of *High-Country News* in Missoula, Montana, requested from U.S. Customs and Border Protection (CBP) records pertaining to enforcement operations taken against commercial mushroom pickers in collaboration with Region 1 of the U.S. Forest Service from January 1, 2018, through June 30, 2022. (Case Number CBP-2022-110709)
- On July 28, 2022, **Kylie Mohr**, a representative of *High-Country News* in Missoula, Montana, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between CBP and law enforcement officers in Region 1 of the U.S. Forest Service regarding enforcement operations against commercial mushroom pickers from January 1, 2018, through June 30, 2022. (Case Number CBP-2022-110710)
- On July 28, 2022, **Kylie Mohr**, a representative of *High-Country News* in Missoula, Montana, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between CBP law enforcement officers in Region 6 of the U.S. Forest Service in regard to enforcement operations against commercial mushroom pickers from January 1, 2018, through June 30, 2022. (Case Number CBP-2022-110716)
- On July 28, 2022, **Kylie Mohr**, a representative of *High-Country News* in Missoula, Montana, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications and records regarding enforcement operations against commercial mushroom pickers in collaboration with Region 6 of the U.S. Forest Service from May 1, 2016, through August 31, 2016. (Case Number CBP-2022-110718)
- On July 28, 2022, **Kylie Mohr**, a representative of *High-Country News* in Missoula, Montana, requested from U.S. Customs and Border Protection (CBP) records pertaining to enforcement operations against commercial mushroom pickers in

collaboration with Lolo National Forest staff from May 1, 2017, through June 30, 2017. (Case Number CBP-2022-110722)

- On July 28, 2022, **Kylie Mohr**, a representative of *High-Country News* in Missoula, Montana, requested from U.S. Customs and Border Protection (CBP) records pertaining to enforcement operations against commercial mushroom pickers in collaboration with Region 6 of the U.S. Forest Service from January 1, 2018, through June 30, 2022. (Case Number CBP-2022-110713)
- On July 28, 2022, **Adam Turner**, a representative of the **Center to Advance Security in America** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between political appointees in the immediate offices of the Secretary and Deputy Secretary, and Nina Jankowicz after her resignation as executive director of the Disinformation Governance Board. (Case Number 2022-HQFO-01466)
- On July 28, 2022, **Reed Rubinstein**, a representative of **America First Legal Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications relating to the development and implementation of Executive Order 14010, which addresses the causes of migration to manage migration throughout North and Central America, and to provide safe and orderly processing of asylum seekers at the United States Border. (Case Number 2022-HQFO-01462)
- On July 28, 2022, **David Jarrell**, a representative of **Jarrell Law Firm** in Chalmette, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the June 2022 fuel spill in Chalmette river. (Case Number 2022-CGFO-02172)
- On July 29, 2022, **Jesse Cottrell**, a representative of *Vice News* in New York City, New York, requested from the United States Coast Guard (USCG) records pertaining to the US Coast Guard's involvement in investigating the death of a Kiribati national who died in March 2020. (Case Number 2022-CGFO-02177)
- On July 29, 2022, **Krissy Waite**, a representative of the *California Reporting Project* in Berkeley, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to an incident involving a CBP Officer at the San Ysidro port of entry on January 2, 2014. (Case Number CBP-2022-111109)
- On July 29, 2022, **Elle Stuart**, representative of **K&L Gates LLP** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications related to Jones Act waivers, specifically the transportation of refined petroleum products, from May 1, 2022, through the present. (Case Number CBP-2022-111242)
- On July 30, 2022, **Lucas Bowerman**, a representative of **Loyola University Chicago School of Law** in Chicago, Illinois, requested from U.S. Customs and Border Protection (CBP) records pertaining to the death of Sergio Adrian Hernandez Guereca while in CBP custody on June 7, 2010. (Case Number CBP-2022-111502)
- On July 31, 2022, **Eric Munoz**, a representative of **Akin Gump Strauss Hauer & Feld LLP** in Houston, Texas, requested from U.S. Customs and Border Protection

(CBP) records pertaining to policies and procedures, in relation to Title 42 and unaccompanied minors from January 1, 2011, through the present. (Case Number CBP-2022-111573)

- On August 1, 2022, **Edward Graham**, a representative of *GovExec* in Alexandria, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to recent audits related to CBP's use of facial recognition technology. (Case Number CBP-2022-112041)
  - On August 1, 2022, **Jose Olivares**, a representative of *The Intercept* in Brooklyn, New York, requested from the Office of Inspector General (OIG) records pertaining to written reports of all hotline calls made to the Department of Homeland Security's Office of Inspector General, regarding the Stewart Detention Center in Lumpkin, Georgia, from March 2020 through the present. (Case Number 2022-IGFO-00245)
  - On August 1, 2022, **Rebecca Ellis**, a representative of *OPB* in Portland, Oregon requested from the Transportation Security Administration (TSA) records pertaining to traveler complaint forms or incident reports relating to TSA officers accused of sexual misconduct or harassment at Portland International Airport between January 2019 through the present. (Case Number 2022-TSFO-00803)
  - On August 1, 2022, **Zoi Galarraga**, a representative with *Forbes Advisor* in Jersey City, New Jersey, requested from the Transportation Security Administration Security (TSA) records pertaining to claims filed between January of 2012 and August of 2022. (Case Number TSA 2022-TSFO-00804)
  - On August 1, 2022, **Jasmin Arrechea**, a representative of **The Downs Law Group** in Miami, Florida, requested from the United States Coast Guard (USCG) records pertaining to incident reports in connection to the BOGGS BAYOU boat. (Case Number 2022-CGFO-02189)
  - On August 1, 2022, **Jack Gillum**, a representative of *Bloomberg News* in New York, New York, requested from the Federal Protective Service (FPS) records pertaining to emails to or from the DHS email account of Joshua Henry sent or received between June 20, 2022, and July 6, 2022. (Case Number 2022-FPFO-00191)
  - On August 2, 2022, **Gavin Stone**, a representative of *The Virginia-Pilot* in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the May 10, 2022 inspection and fire, which occurred on June 7, 2022, aboard the Spirit of Norfolk. (Case Number 2022-CGFO-02192)
  - On August 2, 2022, **Mike Howell**, a representative of **Heritage Oversight Project** in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to communications, call notes, and calendar entries between Staff and Members of the House Select Committee and Staff and Members of the House Oversight and Reform Committee to investigate the January 6th attack on the U.S. Capitol. (Case Number 2022-IGFO-00249)
- On August 2, 2022, **Adolfo Flores**, a representative of *BuzzFeed News* in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Enforcement Integrated Database (EID), which captures and maintains

information related to the investigation, arrest, booking, detention, and removal of persons encountered during immigration and criminal law enforcement investigations and operations. (Case Number CBP-2022-112238)

- On August 2, 2022, **Janet Cordingley**, a private individual in Rosemere, Quebec, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between Congressman Brian Fitzpatrick and DHS personnel over concerns about civil unrest within the United States between 2018-2021. (Case Number 2022-HQFO-01486)
- On August 2, 2022, **Todd Feathers**, a representative of *MuckRock News* in Boston, Massachusetts requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to requests for certification as an eligible organization under the Intergovernmental Personnel Act mobility program submitted to your agency since January 1, 2017. (Case Number 2022-HQFO-01492)
- On August 3, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., requested from the Cybersecurity and Infrastructure Agency (CISA) records pertaining to the July 2022 calendar records for Jen Easterly. (Case Number 2022-NPFO-00183)

#### **Late Requests:**

- On May 12, 2022, **Matthew Petti**, a representative of *Muckrock* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to travel records related to deceased Al Jazeera reporter, Shireen Abu Akleh, from January 3, 1971, through May 11, 2022. (Case Number CBP-2022-078228)
- On June 30, 2022, **Adam Marshall**, a representative of the *Reporters Committee for Freedom of the Press* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to letters and correspondences sent to FOIA requesters in fiscal years 2017 through 2021 which contain the following terms: “neither confirm nor deny”, “neither confirms nor denies”, “confirm or deny”, “existence or nonexistence”, “existence or non-existence”, “vel non”. (Case Number CBP-2022-099729)

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

- On July 28, 2022, U.S. Customs and Border Protection (CBP), released to **David Bier**, a representative of the *CATO Institute*, in Washington, D.C., three spreadsheets of records pertaining to apprehensions or expulsions under Title 42 authority for the fiscal years 2019-2022. (Case number CBP-2021-041233)
- On August 1, 2022, U.S. Customs and Border Protection (CBP) released to **Hart Wood**, a representative of *American Oversight* in Washington, D.C., 30 videos and 38 photographs pertaining to a facility tour of the Ursula Central Processing Center in McAllen, Texas on or around June 17, 2018. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-062338)

- On August 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Mehreen Rasheed**, a representative of **American Oversight** in Washington, D.C., 58 pages of records and 5 excel spreadsheets pertaining to a payment authorization process known as Medical Payment Authorization Request (MedPAR), to approve or deny requests for off-site medical care. Portions of the release will be withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number 2020-ICFO-20299)
- On August 3, 2022, the Transportation Security Administration (TSA) released to **Amanda Smith-Teutsch**, a representative of *WEWS News 5* in Cleveland, Ohio, two pages of records pertaining to civil penalties issued against passengers at Hopkins airport for carrying firearms at the airport in 2021. These records were released in full. (Case Number 2022-TSFO-00313)
- On August 3, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Rachel Levinson-Waldman**, a representative of the **Brennan Center for Justice** in Washington, D.C., 150 pages of records pertaining to contracting documents, research products, training materials and compliance documents relating to the Night Fury project. Portions of this response are withheld pursuant to FOIA exemptions 4 and 6. (Case Number 2022-HQFO-00755)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Matthew Hoppock v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-00316)*, plaintiff filed a FOIA request on July 16, 2018, seeking records pertaining to senior officials using the following terms “Operation Janus”, “Operation Second Look” and “denaturalize”, “HFE” and “Historical Fingerprint Enrollment” from January 20, 2017, through the present. On July 28, 2022, the U.S. Citizenship and Immigration Services (USCIS) released 406 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On July 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 49 pages of records to the plaintiff.
- In the matter of *Crew v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02553)*, plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to communications from June 2, 2020, relating to the decision to deploy federal agents to several cities in the United States. On July 28, 2022, U.S.

Immigration and Customs Enforcement (ICE) released 260 pages of records to the plaintiff.

- In the matter of *Oona Hathaway v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)* plaintiff filed a FOIA request on December 29, 2020, seeking records held by DHS's Office of the General Counsel pertaining to nonbinding international understandings and arrangements from January 1, 1989, to December 31, 2019. On July 29, 2022, the Department of Homeland Security (DHS) will make its 3<sup>rd</sup> Interim release to the plaintiff consisting of 132 pages returned from a consultation of which 13 pages are being released in part, 25 pages are being released in full and 42 pages are being withheld in full pursuant to FOIA Exemptions 6, 7(C) and 7 (E); 9 pages have been determined duplicative, and 43 pages were determined to be nonresponsive due to subject matter of the request.
- In the matter of *Sierra Club v. U.S. Customs and Border Protection (CBP) (17-cv-05273)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On July 29, 2022, U.S. Customs and Border Protection (CBP) issued its thirty-ninth interim release consisting of 501 pages of records to the plaintiff.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants. On July 29, 2022, the U.S. Citizenship and Immigration Services (USCIS) released 339 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS) (18-cv-01531) (2018-HQLI-00036)*, plaintiff filed a complaint on June 27, 2018, seeking records pertaining to the separation of adult family members from minor children; complaints referencing family separation received by the agencies, and data capturing the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On August 1, 2022, the Department of Homeland Security (DHS) Privacy Office release 555 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 4, 5 and 6.
- In the matter of *Electronic Privacy Information Center v. U.S. Immigration Customs Enforcement (ICE) (20-cv-03071)*, plaintiff filed a FOIA request on October 26, 2020, seeking records pertaining to ICE's use of Clearview AI technology and ICE's use of facial recognition software. On August 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 423 pages of records to the plaintiff.
- In the matter of *American Oversight v. Immigration and U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021,

seeking records pertaining to final talking points prepared for Secretary Nielsen regarding the Migrant Protection Protocols, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana, and expansion of the protocol to additional ports of entry. On August 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 296 pages of records to the plaintiff.

- In the matter of the *Immigrant Defense Project v. U.S. Immigration Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to the creation, implementation, or oversight of supervision programs including Intensive Supervision Appearance Program (ISAP) and the ATD Case Management Pilot Program from December 19, 2019, through the present. On August 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 989 pages of records to the plaintiff.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration Customs Enforcement (ICE) (19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, seeking records pertaining to civil immigration arrests by ICE agents that occurred within two city blocks of New York State courthouses. On August 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 550 pages of records to the plaintiff.
- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)*, plaintiff filed a complaint on December 3, 2021, seeking records pertaining to DHS policy on immigration detention practices (release rather than detain) and detention capacity. On August 2, 2022, the Department of Homeland Security (DHS) Privacy Office will release 499 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *Nathan Tempey v. U.S. Department of Homeland Security (DHS) (20-cv-05212) (2021-HQLI-00004)*, plaintiff filed a FOIA request on August 9, 2018, seeking records pertaining to the DHS press release dated February 15, 2018, headlined "We Must Secure the Border and Build the Wall to Make America Safe Again". On August 3, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 19 pages of records to the plaintiff. Of the 19 pages, two pages are withheld in full, and 17 pages are withheld in part pursuant to FOIA exemptions 5 and 6.
- In the matter of *Jason Leopold v. U.S. Department of Homeland Security (DHS) (21-cv-00545) (2021-TSLI-00001) (2021-HQLI-00017)*, plaintiff filed a FOIA request on January 11, 2021 seeking records pertaining to the planning of protests in Washington, D.C. on January 6, 2021, by supporters of former President Donald Trump. On August 3, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 22 pages of records to the plaintiff. Of the 22 pages, nine pages are released in full, while 13 pages are withheld in part pursuant to FOIA exemptions 5 and 6.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS)*,



*(21-cv-01171) (2021-HQLI-00032)* plaintiff filed a FOIA request on March 23, 2020, seeking records pertaining to e-mail communications from USCIS Officials regarding Migrant Protection Protocols. On August 3, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 60 pages of records to the plaintiff. Of the 60 pages, 11 pages are being released in full and 49 pages are withheld in part, pursuant to FOIA exemptions 6 and 7(E).

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
August 4, 2022- August 10, 2022  
DHS Privacy Office  
August 15, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On August 2, 2022, **Angelique Ersland**, a representative of **Amergent Techs** in Los Alamitos, California, requested from the United States Coast Guard (USCG) records pertaining to a list of pollution/responses/cases the requester worked on between January 2005 to September 2014. (Case Number 2022-CGFO-02230)
- On August 2, 2022, **Paul Davis**, a representative of **Sandboxx** in Arlington, Virginia, requested from the United States Coast Guard (USCG) records pertaining to the Coast Guard’s proposed FY22 monthly shipping/enlisted numbers for officers to include numbers reflecting those officers who were shipped out. (Case Number 2022-CGFO-02231)
- On August 4, 2022, **Whitney Wild**, a representative of **CNN** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to documents, emails, notes, transcripts, and recordings, referencing, or capturing exit interviews of Chad Wolf and Ken Cuccinelli conducted by records management staff, information technology liaisons, and/or the DHS general counsel. (Case Number 2022-HQFO-01499)
- On August 4, 2022, **Adam Turner**, a representative of the **Center to Advance Security in America** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between DHS personnel and several U.S. institutions and agencies related to the COVID-19 virus manipulation and origin of the COVID-19 pandemic from January 1, 2022, through the present. (Case Number 2022-HQFO-01214)
- On August 4, 2022, **Dan Nutt**, a representative of **Kirby Inland Marine** in Houston, Texas, requested from the United States Coast Guard (USCG) records pertaining to an oil spill incident that was reported to the National Response Center on July 28, 2022. (Case Number 2022-CGFO-02227)
- On August 5, 2022, **Nick Miroff**, a representative of **The Washington Post** in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of prosecution referrals from October 1, 2017, through the present. (Case number CBP-2022-114173)
- On August 5, 2022, **Nichola Groom**, a representative of **Reuters News** in Altadena, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between CBP and White House officials regarding the

Forced Labor Prevention Act from December 23, 2021, through July 12, 2022. (Case number CBP-2022-114438)

- On August 8, 2022, **Rachel Santarsiero**, a representative of the **National Security Archive** in Washington, D.C., requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to contracts awarded to The GEO Group, Inc. from January 1, 2010, to October 1, 2010, for setting up a temporary detention center in Guantanamo Bay immediately following the 2010 Earthquake in Haiti. (Case Number 2022-ICFO-25998)
- On August 8, 2022, **Andrew Free**, a representative of **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to reports and correspondences by employees in Public Affairs regarding the Robb Elementary School shooting incident in Uvalde, Texas on May 24, 2022. (Case number CBP-2022-114634)
- On August 8, 2022, **Zachary Stieber**, a representative of **Epoch Times** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Chris Magnus and his deputies regarding the bussing of migrants to Washington, D.C. and New York from March 1, 2022, through August 1, 2022. (Case number CBP-2022-114813)
- On August 8, 2022, **Jasmin Arrechea**, a representative of **Downs Law Group** in Miami, Florida, requested from the United States Coast Guard (USCG) records pertaining to communications from American Petroleum, National Ocean Industries, and Cardno Chemrisk, related to the BP Oil Spill response. (Case Number 2022-CGFO-02236)
- On August 9, 2022, **Jason Leopold**, a representative of **BuzzFeed News** in Beverly Hills, California, requested from the Transportation Security Administration (TSA) records pertaining to photographs, videos, email communications, directives, and memos related to or referring to the STOP THE STEAL protest and riot on January 6<sup>th</sup> at the U.S. Capitol building in Washington, D.C. (Case Number 2022-TSCO-00037)
- On August 10, 2022, **Michael Ayele**, a representative of the **Association for the Advancement of Civil Liberties** in Las Vegas, Nevada, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to testimonies and investigations related to the mass shooting at Robb Elementary School in Uvalde, Texas. (Case Number 2022-HQFO-01514)
- On August 10, 2022, **Michael Ayele**, a representative of the **Association for the Advancement of Civil Liberties** in Las Vegas, Nevada, requested from the Office of Inspector General (OIG) records pertaining to testimonies and investigations related to the mass shooting at Robb Elementary School in Uvalde, Texas. (Case Number 2022-IGFO-00259)
- On August 9, 2022, **Lindsey Stephen**, a representative of **UGSOA Local 20 St. Louis** in St. Louis, Missouri, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to an email that was sent from Area Commander Deana S Latragna on August 5th with the Subject of “PSO Handling of PIV/ID cards”. (Case Number 2022-HQFO-01506)

- On August 9, 2022, **Sean Dunangan**, a representative of **Judicial Watch** in Glenwood Springs, Colorado, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to any gang activity known or suspected to be related to the Robb Elementary School shooting in Uvalde, Texas. (Case Number 2022-ICFO-26078)
- On August 10, 2022, **Jessica Plutchok**, a representative of **Kennedys Law** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to reports, surveys, and recommendations in response to the EVER FORWARD vessel which ran aground on or about March 13, 2022, in the Chesapeake Bay. (Case Number 2022-CGFO-02253)
- On August 10, 2022, **Maren Machles**, a representative of **Project on Government Oversight** in Washington, D.C., requested from the U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility's (OPR) records pertaining to the Report of Investigation resulting from CBP's use of force against Anastasio Hernández Rojas on May 28, 2010, including, any recommendations for disciplinary action that ICE OPR submitted to CBP HRM-related to this incident. (Case Number 2022-ICFO-26164)
- On August 11, 2022, **Jennifer Berry Hawes**, a representative of *The Post and Courier* in Charleston, South Carolina, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to employers operating in South Carolina who were issued civil or criminal penalties for acts related to hiring workers without required documentation and/or failure to verify the identity and employment authorization of its workers from 2017 to present. (Case Number 2022-ICFO-26337)

**Late Requests:**

- On August 3, 2022, **Cheri Rossbach**, a representative of **Dorsey Pictures LLC** in Castle Rock, Colorado, requested from the United States Coast Guard (USCG) records pertaining to investigation reports including interviews with suspects related to the death of an individual in Cay Sal Bank, Bahamas. (Case Number 2022-CGFO-02218)
- On August 3, 2022, **Sophia Bollag**, a representative of *The San Francisco Chronicle* in Sacramento, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to border patrol officers questioning travelers about abortions from June 24, 2022, through July 24, 2022. (Case number CBP-2022-113308)

**III. Freedom of Information Act Releases**

- On August 4, 2022, the Transportation Security Administration (TSA) released to **Bob Hernandez**, a representative of *WXTL Tallahassee* in Tallahassee, Florida, four pages of records pertaining to the total number of guns found in each airport in the first quarter of 2022. These records were released in full. (Case Number 2022-TSFO-00475)
- On August 4, 2022, U.S. Customs and Border Protection (CBP) released to **SangYeob Kim**, a representative of the **American Civil Liberties Union** in

Concord, New Hampshire, 49 pages of records pertaining to non-checkpoint apprehensions by Border Patrol in the Swanton, New Hampshire. Portions of the request were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-079696)

- On August 5, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Sean Dunagan**, a representative of **Judicial Watch** in Glenwood Springs, Colorado, eight pages of records pertaining to the call logs, calendar history, and resumes of DHS Political Appointees from January 20, 2021, to July 20, 2021. These records are released in full. (Case Number 2022-HQFO-00125)
- On August 5, 2022, U.S. Customs and Border Protection (CBP) released to **Drew Ensign**, a representative of the **State of Arizona**, 55 pages of records pertaining to correspondence related to border wall construction. Portions of the release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2021-100237)
- On August 8, 2022, the Cybersecurity and Infrastructure Agency (CISA) released to **Sean Dunagan**, a representative of **Judicial Watch** in Glenwood Springs, Colorado, 10 pages of records pertaining to the calendar entries for CISA's Director Jen Easterly, including the names of meeting invitees, notes, and attachments, from January 20, 2021, to July 20, 2021. Portions of this release were withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number 2022-NPFO-00036)
- On August 8, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Davey Alba**, a representative of *The New York Times* in New York, New York, a 1-page record pertaining to communications between representatives of Google or YouTube and the FBI's Foreign Influence Task Force (FITF) related to efforts around election security. Portions of this response are withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number 2022-HQFO-00408)
- On August 9, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Yihong Mao**, a representative of **Just Futures Law** in Canton, Massachusetts, 6 pages of records pertaining to the expansion of data surveillance during the COVID-19 pandemic. Portions of this response are withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number 2022-HQFO-00026))
- On August 9, 2022, U.S. Customs and Border Protection (CBP) issued to **Andrew Free**, a representative of *MuckRock News*, in Boston, Massachusetts, a full denial in response to his request for records pertaining to investigative reports related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-114634)
- On August 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Joey Roulette**, a representative of *Reuters* in Orlando, Florida, 106 pages of records pertaining to inter-office memoranda, written reprimands, internal affairs reports, or the written results of any internal investigation or audit, filed within ICE, for both Homeland Security Investigations and Enforcement and Removal Operations, mentioning the term "facial recognition," between January 1, 2016, through the present. Portions of the release will be withheld pursuant to FOIA Exemptions 4, 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-38885)

- On August 11, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Jason Leopold**, a representative of *Buzzfeed News* in Beverly Hills, California, 14 pages of records pertaining to emails, memos, letters, and directives mentioning nationwide riots and protest that took place between May 25, 2020, and June 1, 2020, that were sparked by the death of George Floyd. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2022-HQFO-00101)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On August 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 528 pages of records to the plaintiff.
- In the matter of *EPIC v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00762)*, plaintiff filed a FOIA request on December 3, 2021, seeking records pertaining to ICE's communications and contracts with ShadowDragon and ICE's use of SocialNet including records related to ICE's communications and contracts with Babel Street's software and use of location data. On August 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 407 pages of records to the plaintiff 407 pages of records.
- In the matter of *Knight First Amendment Institute at Columbia University v. U.S. Department of Homeland Security (DHS) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to new vetting policies, and the government's understanding of its authority to base immigration decisions on individuals' speech, beliefs, or associations. On August 4, 2022, Immigrations and Customs Enforcement (ICE) released 16 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)* plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM) system. On August 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 421 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)*, plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On August 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.

- In the matter of *ACLU v. U.S. Department of Homeland Security (DHS) (20-cv-10083)*, plaintiff filed a complaint on December 2, 2020, seeking records pertaining to contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On August 5, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 110 pages of records to the plaintiff.
- In the matter of *Oona Hathaway v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)* plaintiff filed a FOIA request on December 29, 2020, seeking records held by DHS's Office of the General Counsel pertaining to nonbinding international understandings and arrangements from January 1, 1989, to December 31, 2019. On August 5, 2022, the Department of Homeland Security (DHS) Privacy Office made its 4th Interim release consisting of 124 pages returned from consultation of which 63 pages are being withheld in full pursuant to FOIA Exemptions 6 and 7(E); 37 pages have been determined duplicative, and 24 pages were determined to be nonresponsive due to subject matter of the request.
- In the matter of *American Immigration Council v. Department of Homeland Security (DHS)(18-cv-01390)* plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to the processing of noncitizens seeking asylum and/or expressing a fear of returning to their home country. Plaintiff filed suit on June 14, 2018, claiming injunctive relief. On August 8, 2022, U.S. Customs and Border Protection (CBP) issued its twenty-fifth interim response consisting of 146 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection and U.S. Department of Homeland Security (DHS) (21-cv-03314)* plaintiff filed a FOIA request on July 29, 2021, seeking records pertaining to CBP's implementation of the mobile application CBP One. Plaintiff filed suit on December 20, 2021, claiming injunctive relief. On August 9, 2022, U.S. Customs and Border Protection (CBP) issued its second interim response consisting of 311 pages of records to the plaintiff.
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention there. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 614 pages of records to the plaintiff.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE)(18-cv-01501)*, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3 excel spreadsheets to the plaintiff.

- In the matter of *ACLU v. U.S. Department of Justice (DOJ) (18-cv-00290)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants and visa applicants' social media information to conduct "extreme vetting. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 489 pages of records to the plaintiff.
- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) (19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 582 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye & NBC Universal Media v. U.S. Department of Homeland Security (DHS) (20-cv-00280)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 582 pages of records to the plaintiff.
- In the matter of *Michael Kaplan v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02248)*, plaintiff filed a FOIA request on June 22, 2021, seeking records pertaining to Forms I-213 filed by the ICE Miami Field Office between January 1, 2018, and January 1, 2021. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 138 pages of records to the plaintiff.
- In the matter of *E.G.V. v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00407)*, plaintiff filed a FOIA request on March 28, 2021, seeking records pertaining to documents, records, and interactions between ICE and the plaintiff. On August 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 358 pages of records to the plaintiff.
- In the matter of *IDP v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, seeking records pertaining to civil immigration arrests by ICE agents that occurred within two city blocks of New York State courthouses. On August 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 550 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-10430)*, plaintiff filed a FOIA request on August 4, 2020, seeking records pertaining to aerial surveillance and flight monitoring of nationwide protests following the death of George Floyd in May 2020. On August 10, 2022, U.S. Immigration and Customs Enforcement (ICE) released 11 pages of records to the plaintiff.



## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
August 11, 2022- August 17, 2022  
DHS Privacy Office  
August 22, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On August 11, 2022, **Xiana Fontno**, a representative of the *Palladium Times* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to a search and rescue incident that occurred on March 23, 1979, in Oswego, New York. (Case Number 2022-CGFO-02259)
- On August 11, 2022, **Maria Sacchetti**, a representative of *The Washington Post* in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of Ivana Trump, also known as Ivana Marie Zelnickova, originally from former Czechoslovakia. (Case Number COW 2022-003964)
- On August 11, 2022, **Eyal Weizman**, a representative of *Forensic Architecture* in London, England, requested from U.S. Customs and Border Protection (CBP) records pertaining to documentation reviewed or produced by the National Use of Force Review Board regarding incidents created because of special deployments to Portland, Oregon in response to the George Floyd protests from July 14-29, 2020. (Case Number CBP-2022-116563)
- On August 11, 2022, **Rosa Flores**, a representative of *CNN* in Dallas, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to subpoenas related to the Robb Elementary School shooting on May 24, 2022. (Case Number CBP-2022-116682)
- On August 13, 2022, **Robert Moore**, a representative of *El Paso Matters* in El Paso, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the death of Carlos Hernandez Vasquez while in Border Patrol custody in May 2019. (Case Number CBP-2022-117509)
- On August 15, 2022, **John Power**, a representative of *Al Jazeera News* in Gangneung, South Korea, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of searches of Chinese citizens' laptops, smartphones, and other electronic devices at the United States border from 2017 through the present. (Case Number CBP-2022-117599)
- On August 15, 2022, **Maren Machles**, a representative of the **Project on Government Oversight** in Washington, D.C. requested from U.S. Customs and

Border Protection (CBP) records pertaining to the incident of Marisol García Alcantara being shot and injured by a CBP Border Patrol agent near Nogales, Arizona on June 16, 2021. (Case Number CBP-2022-117769)

- On August 15, 2022, **Theodore J. Griswold**, a representative of *Procopio* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the construction of a southern border wall by the Governor of Arizona, Arizona Department of Homeland Security, Arizona Department of Emergency Management, and any other Arizona agency, official, or employee on August 12, 2022. (Case Number CBP-2022-118237)
- On August 15, 2022, **Shelley Byrne**, a representative of *The Waterways Journal* in Kevil, Kentucky, requested from the United States Coast Guard (USCG) records pertaining to the number of Subchapter M credit dry-dock inspections and Internal Structural Examinations performed by the USCG between April 20, 2018, and August 15, 2022. (Case Number 2022-CGFO-02275)
- On August 17, 2022, **Andrew Free**, a representative of *MuckRock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to working papers, interview notes, correspondence, and other agency records ICE created, received, or maintained in preparing its responses that appear as appendices in the June 30, 2022, report to U.S. Immigration and Customs Enforcement (ICE) Acting Director Tae Johnson regarding the Folkston ICE Processing Center and Folkston Annex in Georgia, operated by The GEO Group, Inc. (Case Number 2022-ICFO-26971)
- On August 17, 2022, **Francis Miguez**, a representative of *Bearden Investigations* in Dallas, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to Customs and Border Protection officers dispatched to any address within the blocks surrounding Robb Elementary School on May 24, 2022; including incident reports; 911 call audio and logs; and arrest reports made. (Case Number CBP-2022-119304)
- On August 17, 2022, **Will Fitzgibbon**, a representative of *International Consortium of Investigative Journalists* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of items imported into the United States and exempt under the code DP; items marked as imported into the United States by an honorary consul or honorary consulate; the number of occasions on which a customs officer has requested a consular bag be opened and the number of occasions on which a consular bag has been returned to its place of origin for the years 2020, 2021 and 2022. (Case Number CBP-2022-119420)

**Late Requests:**

- On July 14, 2022, **Christopher Knight**, a representative of *Argus Media* in Washington, D.C. requested from U.S. Customs and Border Protection (CBP) records pertaining to Jones Act waivers and CBP's response to those waivers from March 1, 2022, through the present. (Case number CBP-2022-104927)

- On July 28, 2022, **Casey Tolan**, a representative of *CNN* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to emails sent to or from former ICE official Matthew Albence to any email address ending in @geogroup.com containing the term: "GEO Group". (Case Number 2022-ICFO-26532)
- On August 3, 2022, **Andrew Free**, a representative of *MuckRock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to emails sent to or from former ICE official Matthew Albence to any email address ending in @geogroup.com containing the term: "GEO Group". (Case Number 2022-ICFO-26528)
- On August 10, 2022, **Jessica Plutchok**, a representative of **Kennedys Law** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the response of the EVER FORWARD, which ran aground on or about March 13, 2022, in the Chesapeake Bay. (Case Number 2022-CGFO-02253)
- On August 10, 2022, **Cristina Brown**, a representative of *Inside Edition* in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to an incident where a boat capsized on the New Jersey coast on August 8, 2022. (Case Number 2022-CGFO-02265)
- On August 10, 2022, **James Baehr**, a representative of the **Pelican Institute of Public Policy** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the application and registration of federal river pilots in the State of Louisiana. (Case Number 2022-CGFO-02288)
- On August 10, 2022, **Sofia Mejias-Pascoe**, a representative of *inewssource* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to video footage related to the death of Joel Reyes Munoz while in CBP custody on January 12, 2022. (Case number CBP-2022-116369)

### III. Freedom of Information Act Releases

- On August 11, 2022, the Transportation Security Administration (TSA) released to **Rebecca Heilweil**, a representative of *Vox Media* in New York, New York, 40 pages of records pertaining to the agreement between TSA and Apple regarding Apple's plans to launch a digital ID in its Wallet that the TSA will accept at checkpoints. Portions of the release are withheld pursuant to FOIA Exemptions 4 and 6. (Case Number 2021-TSFO-00571)
- On August 11, 2022, the Transportation Security Administration (TSA) released to **Sam Biddle**, a representative of *The Intercept* in New York, New York, 39 pages of records pertaining to the Statement of Work document related to the contract between TSA and Panamerica Computers, Inc. for Babel Street Licenses Subscriptions for an awarded contract. Portions of the release are withheld pursuant to FOIA Exemptions 4 and 6 (Case Number 2022-TSFO-00762)
- On August 12, 2022, U.S. Customs and Border Protection (CBP) released to **Mark Reagan**, a representative of *The Brownsville Herald*, in Brownsville, Texas, 10 pages of records pertaining to reports and pictures of tunnels discovered by U.S. Border Patrols (USBP) in Hidalgo County from 2018 to January 2019. Portions of this release were

withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-022044)

- On August 12, 2022, U.S. Customs and Border Protection (CBP) released to **Freddy Martinez**, a representative of *MuckRock News* in Somerville, Massachusetts, 18 pages of records pertaining to the deployment of pepper balls by USBP during an August 11, 2019, incident. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-077014)
- On August 15, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., 4 pages of records pertaining to allegations made against or about U.S. Customs and Border Protection (CBP) agents “whipping” or otherwise engaging migrants attempting to cross into the United States in or near the Rio Grande River near Del Rio, Texas on September 19, 2021. Portions of this response are withheld pursuant to FOIA exemption 6. (Case Number 2022-HQFO-01197)
- On August 16, 2022, the Cybersecurity & Infrastructure Security Agency (CISA) released to **Samantha Sabin**, a representative of *Politico* in Washington, D.C., 4 pages of records pertaining to a list of Slack team domains that are in active use by employees within the Cybersecurity and Infrastructure Security Agency as of April 27, 2022. Portions of this response are being withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-NPFO-00115)
- On August 16, 2022, the Cybersecurity & Infrastructure Security Agency (CISA) released to **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., a one-page record pertaining to the titles of the channels used in CISA’s Slack instances as of April 21, 2022. Portions of this release are being withheld pursuant to FOIA Exemption 7(E). (Case Number 2022-NPFO-00112)
- On August 16, 2022, the Transportation Security Administration (TSA) released to **Ryan Kruger**, a representative of *WFTX-TV* in Naples, Florida, 235 pages of records pertaining to passenger property loss claims from January 1, 2019, to January 1, 2022, Portions of the release are withheld pursuant to FOIA Exemption 6 (Case Number 2022-TSFO-00592)
- On August 16, 2022, U.S. Customs and Border Protection (CBP) issued to **Adam Marshall**, a representative of the *Reporters Committee for Freedom of the Press* in Washington, D.C., a no records response in regard to his request for records pertaining to letters and correspondence sent to FOIA requesters in fiscal years 2017 through 2021 which contain the following terms: “neither confirm nor deny”, “neither confirms nor denies”, “confirm or deny”, “existence or nonexistence”, “existence or non-existence” and “vel non”. (Case Number CBP-2022-099729)
- On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Taylor Scott Amarel**, a representative of *MuckRock News*, 525 pages of records pertaining to e-mails containing the term "Blue Ribbon" sent to mailboxes DHS Exec Sec or USCIS Immigrant Investor Program between January 1, 2013, through the present. Portions of the release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number COW 2017-001377)

- On August 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Gonzalez**, a representative of **The Arizona Republic** in Chicago, Illinois, 2,356 pages and 3 excel spreadsheets in response to his request for ICE records pertaining to workplace audits executed from 2001 to 2019. Portions of the release will be withheld pursuant to FOIA Exemption 7(E). (Case Number 2020-ICFO-28827)
- On August 17, 2022, U.S. Customs and Border Protection (CBP) released to **Lauren Etter**, a representative of **Bloomberg News** in Los Angeles, California, eight pages of records pertaining to scheduled meetings and appointments for CBP Executive Assistant Director Todd Owen and CTPAT Director Manuel Garza with Mediterranean Shipping Company from June 1, 2019, to December 31, 2019. Portions of this release have been withheld pursuant to FOIA exemptions 4, 5, 6, 7(C), 7(A), and 7(E). (Case number CBP-2022-087001)
- On August 17, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Kimberly Evans**, a representative of **Grant & Eisenhofer** in Wilmington, Delaware, 8 pages of records within the possession of the Office of Civil Rights and Civil Liberties (CRCL) pertaining to communications related to the detention and death of Ben James Owen from July 23, 2019, to the present. Portions of this response are withheld pursuant to FOIA exemption 6. (Case Number 2022-HQFO-01361)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Catholic Legal Immigration Network, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status (TPS) from January 20, 2017, through August 12, 2019. On August 11, 2022, U.S. Citizenship and Immigration Services (USCIS) released 239 pages of records to the plaintiff.
- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. U.S. Department of Homeland Security (DHS)(19-cv-03438)*, plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining to policies, procedures, guidelines, and communications relating to the screening, inspection, or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On August 12, 2022, U.S. Customs and Border Protection (CBP) released its twenty-second interim response, consisting of 1000 pages of records to the plaintiff.

- In the matter of *American Oversight v. U.S. Department of Justice (DOJ)(20-cv-02153)*, plaintiff filed a complaint on October 8, 2020, seeking records pertaining to protest response directives and guidance drafted, revised, finalized, or distributed from May 25, 2020, through October 20, 2020. On August 12, 2022, U.S. Customs and Border Protection (CBP) issued the fifth interim release, consisting of 308 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-02168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to “written reports” referred to in the subsection titled “Weekly Reporting of All Enforcement and Removal Actions” within a memorandum from Tae D. Johnson to “All ICE Employees”. On August 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released one excel sheet of records to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) 21-cv-06239*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE’s use of force, solitary confinement, access to medical treatment, and other conditions that impacted Black immigrants in ICE detention. On August 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released 116 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. United States Department of Homeland Security (DHS)(21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP). On August 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet of record to the plaintiff.
- In the matter of *Jason Leopold and BuzzFeed Inc. v. United States Department of Homeland Security (DHS)(20-cv-02179)*, plaintiff filed a complaint on August 12, 2020, seeking records pertaining to the recent protests in the wake of the killing of George Floyd. On August 13, 2022, U.S. Customs and Border Protection (CBP) issued the seventh interim release, consisting of 8,283 pages of records, one audio file totaling sixteen minutes and thirty-three seconds, and one video totaling eleven seconds to the plaintiff.
- In the matter of *Joshua Phillips v. U.S. Department of Homeland Security (DHS) (19-cv-01971) (2019-HQLI-00027)*, plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and any reports that discuss the threat of domestic terrorism. On August 15, 2022, the Department of Homeland Security (DHS) Privacy Office released 23 pages of records to the plaintiff.
- In the matter of *Oona Hathaway v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)* plaintiff filed a FOIA request on December 29, 2020, seeking records held by DHS’s Office of the General Counsel pertaining to

nonbinding international understandings and arrangements from January 1, 1989, to December 31, 2019. On August 15, 2022, the Department of Homeland Security (DHS) Privacy Office made its 5th Interim release consisting of 79 pages returned from consultation to the plaintiff. Of which 11 pages are being released in full, 1 page is being partially released, and 67 pages are being withheld in full pursuant to FOIA Exemptions 6 and 7(E).

- In the matter of ***Leopold and BuzzFeed Inc., v. U.S. Department of Homeland Security (DHS)(18-cv-01957) (2018-HQLI-00039)***, plaintiff filed a complaint on August 21, 2018, seeking records pertaining to emails dated January 1, 2018, through June 22, 2018, sent or received by the Secretary of Homeland Security Kirstjen Nielsen related to immigration. On August 15, 2022, the Department of Homeland Security (DHS) Privacy Office released the 44th interim response, consisting of 158 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5, 6, and 7(C).
- In the matter of ***Ammad Omar, National Public Radio, Inc. v. U.S. Department of Homeland Security (DHS) (21-cv-09928)***, plaintiff filed a FOIA request on December 27, 2021, seeking records pertaining to “white papers” produced by local ICE filed offices regarding additional detention space; communications related to the opening of detention facilities at former prisons; and communications related to the contracting process for detention center operators previously found to be deficient. On August 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,312 pages of records to the plaintiff
- In the matter of ***Project on Government Oversight, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-03372)***, plaintiff filed a FOIA request on November 7, 2019, seeking records pertaining to communications between government officials and representatives of Amazon or AWS regarding facial recognition technology or Recognition. On August 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 200 pages of records to the plaintiff.
- In the matter of ***Reed Smith LLP v. U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP) (21-cv-01701)***, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to USBP transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On August 16, 2022, U.S. Customs and Border Protection (CBP) released its eighth interim response, consisting of 14 pages of records to the plaintiff.
- In the matter of ***Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)***, plaintiff filed a complaint on January 11, 2018, seeking records pertaining to emails sent or received by USCIS Ombudsman Julie Kirchner; official communications sent or received by Julie Kirchner using any non-DHS email account; notes, meeting minutes and meeting summaries prepared by or for Julie Kirchner in preparation for any meeting she attended and Julie Kirchner’s calendar, call log and appointment history. On August 16, 2022, the Department of



Homeland Security (DHS) Privacy Office released the 43<sup>rd</sup> interim response, consisting of 247 pages of records to the plaintiff.

- In the matter of ***Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS) (20-cv-00316)***, plaintiff filed a FOIA request on July 16, 2018, seeking records pertaining to email accounts using the terms: “Operation Janus”, “Operation Second Look” and “denaturalize”. On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 137 pages of records to the plaintiff.
- In the matter of ***Matthew Hoppock v. United States Citizenship and Immigration Services (USCIS)(20-cv-00316)***, plaintiff filed a FOIA request on July 16, 2018, seeking records pertaining to email accounts using the terms: “Operation Janus”, “Operation Second Look” and “denaturalize”. On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 306 pages of records to the plaintiff.
- In the matter of ***American Oversight v. U.S. Department of Homeland Security (DHS), U.S Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), (21-cv-01171)***, plaintiff filed a FOIA request on March 23, 2020, seeking records pertaining to e-mail communications from USCIS Officials regarding Migrant Protection Protocols. On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 417 pages of records to the plaintiff.
- In the matter of ***Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (21-cv-02328)***, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant’s prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 848 pages of records to the plaintiff.
- In the matter of ***Louise Trauma Center v. United States Department of Homeland Security (DHS) (21- cv-02371)***, plaintiff filed a FOIA request on May 14, 2020, seeking records pertaining to lesson plans and training materials given to newly hired asylum officers from January 1, 2019, through the present. On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,538 pages of records to the plaintiff.
- In the matter of ***International Refugee Assistance Project v. United States Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) (21-cv-09519)***, plaintiff filed a FOIA request on August 20, 2021, seeking records pertaining to USCIS systems, manuals, policies and training materials from January 1, 2016, through the present. On August 16, 2022, U.S. Citizenship and Immigration Services (USCIS) released 377 pages of records to the plaintiff.
- In the matter of ***Julie Ann Dahlstrom, Heba Gowayed v. United States Department of Homeland Security (DHS) (22-cv-01165)***, plaintiff filed a FOIA request on August 7, 2020, seeking records pertaining to T-1 nonimmigrant status applications for victims of trafficking. On August 16, 2022, U.S. Citizenship and Immigration

Services (USCIS) released 128 excel spreadsheets and 11 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to all Mortality Reviews created by the Immigrant Health Service Corps (“IHSC”) regarding the death of Anthony Jones aka Henry Missick. On August 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 17 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI including any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On August 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 667 pages of records to the plaintiff.
- In the matter of *Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and Envision Freedom Fund v. U.S. Immigration and Customs Enforcement (ICE)(22-cv-02885)*, plaintiff filed a FOIA request on January 18, 2022, seeking records pertaining to policies, guidelines, or procedures relating to immigration bonds. On August 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 701 pages of records to the plaintiff.
- In the matter of *OCAD, IDP, and CCR v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE’s decision to expend resources to establish “Citizens Academies”. On August 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 237 pages of records to the plaintiff.
- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE)(21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly operational summary Safety Reports filed by contractors working with Ice Air Operations (IAO) from 2003 to the present and all records related to alleged misconduct by IAO employees from 2003 through the present. On August 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 246 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)*, plaintiff filed a FOIA request on October 14, 2021, seeking records pertaining to communications between ICE and Charles R. Greene, Honorary Consul of Embassy of the Republic of Cameroon and Bryan Cox, then-ICE Press Secretary, regarding Cameroon, Cameroonians, or the removal of Cameroonians to Cameroon. On August 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 109 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
August 18, 2022- August 24, 2022  
DHS Privacy Office  
August 29, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On August 18, 2022, **Peter Sorenson**, a representative of the **Sorenson Law Office** in Eugene, Oregon, requested from the Office of Inspector General (OIG) records pertaining to the September 19, 2021, incident which included allegations of “whipping” by Customs and Border Protection agents. (Case Number 2022-IGFO-00266)
- On August 19, 2022, **Alex Rouhandeh**, a representative of *Newsweek* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the addresses associated with three seizures of counterfeit Cartier jewelry that took place between July 17-31, 2019, that led to the arrest of JianGang "Frank" Lan on August 2, 2019, as reported by Customs and Border Protection on September 25, 2019. (Case Number CBP-2022-120142)
- On August 21, 2022, **Rich Saltzberg**, a representative of *The Martha’s Vineyard Times* in Vineyard Haven, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to marine casualty reports, incident reports, accident reports, or accident reconstruction reports related to the vessel named Determination. (Case Number 2022-CGFO-02310)
- On August 22, 2022, **Nick Penzenstadler**, a representative of *USA Today* in Milwaukee, Wisconsin, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to declassification requests submitted to DHS by members of the White House counsel or operations team from January 20, 2017, to January 20, 2021, received by DHS’s classification office. (Case Number 2022-HQFO-01568)
- On August 22, 2022, **Justin Hicks**, a representative of *Louisville Public Media* in Louisville, Kentucky, requested from the Federal Emergency Management Agency (FEMA) records pertaining to contracts between cost estimating company Gordian and FEMA. (Case Number 2022-FEFO-00787)
- On August 22, 2022, **Abelardo Castillo**, a representative of **Justice for Uvalde** in Uvalde, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the name of the border patrol agent who shot and killed the gunman on May 24, 2022, at Robb Elementary school. (Case Number CBP-2022-120487)

- On August 22, 2022, **Zachary Stieber**, a representative of *The Epoch Times* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the decision to suspend field operations within the Border Patrol's Del Rio Sector, made in August 2022. (Case Number CBP-2022-120545)
- On August 23, 2022, **Hollie Webb**, a representative of *Al Otro Lado* in San Ysidro, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to memoranda, internal guidance, policy documents, training materials, or standards drafted by CBP regarding the issuance of exemptions to Title 42 and/or the processing of people who are granted exemptions from Title 42 along the US-Mexico border from March 1, 2021, to the present. (Case Number CBP-2022-121421)
- On August 23, 2022, **Andrew Free**, a representative of *MuckRock*, Boston, Massachusetts, requested from the Office of Inspector General (OIG) records pertaining to 27 individuals who died while in the custody of Immigration and Customs Enforcement (ICE). (Case Number 2022-IGFO-00268)
- On August 23, 2022, **Kaila Philo**, a representative of *Talking Points Memo*, in Washington D.C., requested from the Office of Inspector General (OIG) records pertaining to documents instructing U.S. Secret Service employees to preserve electronic communications that were transmitted or received on their cellular telephones; all email correspondences sent or received by Deputy Inspector General for Inspections and Evaluation Thomas Kait and Chief of Staff Kristen Fredricks regarding the January 6th insurrection, and any email correspondences within the department regarding former Acting United States Secretary of Homeland Security Chad Wolf and former acting DHS deputy secretary Ken Cuccinelli. (Case Number 2022-IGFO-00269)
- On August 24, 2022, **Justin Hicks**, a representative of *Louisville Public Media* in Louisville, Kentucky, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the completed Preliminary Damage Assessment (PDA) for the disaster in eastern Kentucky related to flooding. (Case Number 2022-FEFO-00795)
- On August 24, 2022, **John Greenwald**, a representative of *The Black Vault Inc.* in Castaic, California, requested from the United States Coast Guard (USCG) records pertaining to videos and photos, related to the boarding of the MV BASS STRAIGHT in the port of Long Beach California. (Case Number 2022-CGFO-02366)
- On August 24, 2022, **Andrew Mescolotto**, a representative of **Fertig and Gramling** in Fort Lauderdale, Florida, requested from the United States Coast Guard (USCG) records pertaining to a spill arising from a boat explosion on August 21, 2022, at Halifax Marina in Daytona Beach, Florida. (Case Number 2022-CGFO-02367)
- On August 24, 2022, **Paula Dobbyn**, a representative of the **Civil Beat** in Honolulu, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to a boating fatality in Kona, Hawaii Island on April 6, 2022. (Case Number 2022-CGFO-02368)

### Late Requests:

- Nothing significant to report.

### III. Freedom of Information Act Releases

- On August 18, 2022, U.S. Customs and Border Protection (CBP) issued to **Francis Migués**, a representative of *Bearden Investigations*, in Dallas, Texas, a full denial in response to her request for records pertaining to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-119304)
- On August 19, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Daniel Rivero**, a private individual in Miami, Florida, 2 pages of records pertaining to the policy change that was made public by the Transportation Security Administration on March 20, 2017, regarding the ability of individuals to travel with electronic devices larger than cell phones on their person on inbound flights from various countries in the Middle East and North Africa. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2022-HQFO-00569)
- On August 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Jesse Franzblau**, a representative of the *National Immigrant Justice Center* in Washington, D.C., 27 pages of records pertaining to policy guidance and data relating to Operation Noble Guardian – the program initiated by Homeland Security Investigations (HSI) in May of 2019. Portions of the release are withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-28756)
- On August 22, 2022, U.S. Customs and Border Protection (CBP) released to **Matt Dixon**, a representative of *Politico* in Tallahassee, Florida, 23 pages of records pertaining to the proposal to send undocumented immigrants from the southern border to processing facilities in Florida. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-053748)
- On August 22, 2022, the Transportation Security Administration (TSA) released to **Derek Miloff**, a representative of *WJZY - FOX 46* in Charlotte, North Carolina, 235 pages of records pertaining to passenger property loss claims from January 1, 2019, to January 1, 2022, including the estimated value reported by the passenger and if the TSA approved or denied such claims, from several U.S. airports. Portions of the release are withheld pursuant to FOIA Exemption 6 (Case Number 2021-TSFO-00689)
- On August 23, 2022, U.S. Customs and Border Protection (CBP) issued to **Abelardo Castillo**, a representative of **Justice for Uvalde** of Uvalde, Texas, a full denial in response to his request for records related to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemptions 6, 7(A) and 7(C). (Case number CBP-2022-120487)
- On August 23, 2022, U.S. Customs and Border Protection (CBP) released to **Katherine Anthony**, a representative of **American Oversight** in Washington, D.C., four pages of records pertaining to emails regarding her request for email communications sent by former Acting Chief of Staff Patrick Flanagan to any email

address ending in .com, .net, .org, .edu, or .mail, from January 1, 2019, through the present. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2020-049741)

- On August 23, 2022, U.S. Customs and Border Protection (CBP) released to **Aaron Lackowski**, a representative of **Migrant Justice** in Burlington, Vermont, 36 pages of records pertaining to standard operating procedures, memos, and meeting notices pertaining to CBP's Border Violence Response Unit, or the OMEGA program. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-053155)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **James S. Silk**, a representative of **Allard K. Lowenstein International Human Rights Clinic** in New Haven, Connecticut, 18 pages of records pertaining to the concept of operations reports, prosecutorial guidance, and statistics related to the separation of detained adults and children. Portions of this request were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-018217)
- On August 23, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Azadeh Erfani**, a representative of the **National Immigrant Justice Center** in Washington, D.C., 23 pages of records pertaining to documents related to the use or proposed use of video-tele-conferenced immigration court hearings for individuals subject to the Migrant Protection Protocols (MPP). Portions of this release is withheld pursuant to FOIA Exemption 5, 6, 7(C), and 7(E). (Case Number 2020-HQFO-01007)
- On August 24, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Betsy Fisher**, a representative of the **International Refugee Assistance Project** in New York, New York, 28 pages of records pertaining to correspondences and proposed or implemented policy changes related to "Parole in place" which is a benefit that can be granted by USCIS under the Immigration and Nationality Act. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number 2019-HQFO-00989)
- On August 24, 2022, the Cybersecurity and Infrastructure Security Agency (CISA) released to **Iris Hewlett** a representative of the **National Archives** in Washington D.C., 6 pages of records pertaining to CISA's legal notice ICSA Advisory (ICSA-22-154-01) Vulnerabilities Affecting Dominion Voting Systems ImageCast X. Portions of this response are being withheld pursuant to FOIA Exemption 6. (Request number 2022-NPFO-00176)
- On August 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Jennings Brown**, a representative of **MuckRock News** in Somerville, Massachusetts, 44 pages of records pertaining to investigations that involved a search of Fellowship of Friends property in Oregon House, California on April 3, 2007. Portions of the release is withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-33523)
- On August 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Natasha C. Merle**, a representative of **NAACP Legal Defense and Educational Fund, Inc.** in New York, New York, 13 pages of records pertaining to the mobilization of federal agency personnel in Washington, D.C. between May 25,

2020, through the present. Portions of the release is withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-69819)

- On August 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Nicholas Marritz**, a representative of **MuckRock News** in Somerville, Massachusetts, 35 pages of records pertaining to a telephonic survey that ICE has been conducting since January 2019 of people from Central America to assist in the agency's programmatic development. Portions of the release is withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number 2021-ICAP-01016)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Jean Guerrero**, a representative of **KPBS Public Media**, in La Mesa, California, 35 pages of records pertaining to incident reports related to a security incident that occurred at the Yuma Centralized Processing Center on June 25, 2018, where several reporters attempted to gain entry by representing themselves as translators. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-020012)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Kavitha Surana**, a representative of **ProPublica**, in New York, New York, 33 pages of records pertaining to an incident that involved a chase and collision on April 23, 2017, near La Tierra and Soderquist Roads near Donna, Texas, in the Yuma Border Patrol's area of responsibility. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2019-028809)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a private individual in Salt Lake City, Utah, eight pages of records pertaining to emails related to a January 29, 2018, traffic-related stop of a mock/cloned UPS truck 18 miles east of Tecate and 5 miles north of the U.S.-Mexico border. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-033139)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Michel Marizzo**, a representative of **Fronteras** in Tucson, Arizona, 22 pages of records pertaining to emails and incident reports related to encounters between members of United Constitutional Patriots and U.S. Border Patrol agents from El Paso Sector in the Sunland Park, New Mexico region between January 1, 2018, and April 20, 2019. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-046378)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Aaron Lackowski**, a representative of **Migrant Justice** in Burlington, Vermont, 44 pages of records pertaining to memos, standard operating procedures, directives, and concept of operations related to the binational "Operation Against Smugglers Initiative on Safety and Security" (OASISS) program. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2019-053141)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Aaron Lackowski**, a representative of **Migrant Justice** in Burlington, Vermont, three pages of records pertaining to the Foreign Operations Branch organization chart for the San Diego Sector and a memorandum of agreement on information sharing with the



Secretary of Municipal Public Security of the Tijuana City Hall. These records were released in full. (Case number CBP-2019-053247)

- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Alejandro Ramirez**, a representative of *MuckRock News* in Somerville, Massachusetts, two pages of records pertaining to an itemized inventory of all medicine, personal hygiene products, and cleaning supplies budgeted, purchased, and/or provided to the McAllen Station from Fiscal Years (FY) 2016 to 2019. This record was released in full. (Case number CBP-2019-062856)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Jesse Franzblau**, a representative of **Heartland Alliance's National Immigrant Justice Center** in Washington, D.C., four pages of records pertaining to guidance on family unit prosecutions. Portions of this release were withheld pursuant to FOIA exemptions 5 and 7(E). (Case number CBP-2019-076140)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **Victoria Macchi**, a representative of *Voice of America* in Washington, D.C., six pages of records pertaining to incident reports, use of force reports, and assault on an officer reports, related to an altercation that occurred between one or more CBP employees, agents, and/or contractors, and one or more detainees, at Cotulla Station, Texas, between July 28, 2019, and August 6, 2019. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2019-076720)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) released to **W. Paul Smith**, a representative of *The Intercept* in New York, New York, six pages of records pertaining to emails and associated attachments related to the Secretary's Award for Leadership Excellence 2019 for "Operation of the Tijuana Command Center coordinating regional securities issues affecting the Baja California Region." Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2020-019590)
- On August 24, 2022, U.S. Customs and Border Protection (CBP) issued to **David Mora**, a representative of *VICE News* in Brooklyn, New York, a no records determination in response to his request for records pertaining to aerial surveillance footage collected by CBP drones from January 22, 2021, through January 23, 2021. (Case Number CBP-2021-039587)
- On August 25, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Elliott Tucker**, a private individual from Houston Texas, 32 pages of records pertaining to email communications sent to or from John Tien that include any of the following terms: "Haiti", "horse", "horseback", and/or "whip". Portions of this release were withheld pursuant to FOIA Exemptions 6. (Case Number 2022-HQFO-00510)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *American Immigration Council and Tahirih Justice Center v. U.S. Customs and Border Protection (CBP), U.S. Department of Homeland Security (DHS), and U.S. Citizenship and Immigration Services (USCIS) (19-cv-02965)*, plaintiff filed a FOIA request on July 5, 2019, seeking records pertaining to the use of United States Customs and Border Patrol (CBP) officers to conduct credible and/or reasonable fear interviews. On August 18, 2022, the U.S. Citizenship and Immigration Services (USCIS) released 939 pages of records to the plaintiff.
- In the matter of the *Brennan Center for Justice v. U.S. Department of Homeland Security (DHS) (20-cv-00427)*, plaintiff filed a FOIA request on November 5, 2018, seeking records pertaining to the Data Analysis System (DAS) in use by ICE and contributed to by DHS and at least two of its agency components. On August 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 8 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02725)*, plaintiff filed FOIA requests on August 6, 2018, seeking records pertaining to contracts, memorandums of understanding, e-mail, and all other items associated with the submission; acceptance, and review of detainee health with Kenosha County, Wisconsin, for the health care provided to people held under immigration laws. On August 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 159 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (20-cv-01367) (2020-HQLI-00030)*, the plaintiff filed a complaint on May 21, 2020, seeking records pertaining to the U.S. Immigration and Customs Enforcement's (ICE) response to COVID-19. On August 22, 2022, the Department of Homeland Security (DHS) Privacy Office released a supplemental response, consisting of 70 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5,6, and 7(C).
- In the matter of *Justice Action Center and Immigrant Defenders Law Center v. U.S. Department of Homeland Security (DHS) (21-cv-07592)* plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to government processes concerning minor children accompanied by a non-parent relative. Plaintiff filed suit on September 22, 2021, claiming injunctive relief. On August 19, 2022, U.S. Customs and Border Protection (CBP) issued its fourth response consisting of 53 pages of records to the plaintiff.
- In the matter of the *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, seeking records pertaining to policies, communications, contracts, memoranda of understanding, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On August 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 158 pages of records to the plaintiff.

- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to the detention of a transgender or intersex person in existence on or after January 1, 2015; records pertaining to the detention of transgender or intersex person during the COVID-19 pandemic from January 1, 2020, to present; and documents used to train employees in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention in existence on or after January 1, 2015. On August 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 475 pages of records to the plaintiff.
- In the matter of *Center for Immigration Studies v. U.S. Immigration and Customs Enforcement (ICE)(21-cv-01761)*, plaintiff filed a FOIA request on July 1, 2021, seeking records pertaining to ICE employees regarding the Optional Practical Training (OPT) Employment Compliance Unit, STEM OPT, or Curriculum Practical Training (CPT) programs. On August 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 40 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Department of Homeland Security (DHS (20-cv-10083) (2021-HQLI-00005)* plaintiff filed a complaint on December 2, 2020, seeking records pertaining to policies, communications, contracts, memoranda of understanding, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On August 24, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the June interim response, consisting of 69 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to final talking points prepared for Secretary Nielsen regarding the MPP and plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana, and the expansion of the protocol to additional ports of entry. On August 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 240 pages of records to the plaintiff.
- In the matter of *Michael Kaplan v. U.S. Immigration Customs Enforcement (ICE) (21-cv-02248)*, plaintiff filed a FOIA request on June 22, 2021, seeking records pertaining to Immigration Forms I-213 filed by the ICE Miami Field Office between January 1, 2018, and January 1, 2021. On August 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 127 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
August 25, 2022- August 31, 2022  
DHS Privacy Office  
September 6, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On August 25, 2022, **Jackie Davalos** a representative of *Bloomberg News* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of American citizens that have been caught driving undocumented immigrants or engaged in other crimes related to transporting migrants. (Case Number CBP-2022-122244)
- On August 26, 2022, **Maren Machles**, a representative of *Project on Government Oversight* in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to the Report of Investigation resulting from a use of force incident on June 16, 2021, where Marisol García Alcántara was shot and injured. (Case Number 2022-IGFO-00272)
- On August 26, 2022, **Brian Michael**, a representative of *KOMO News* in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to surveillance video collected in the investigation of the grounding of the Washington State Ferry CATHLAMET on July 28, 2022. (Case Number 2022-CGFO-02377)
- On August 27, 2022, **Ravleen Kaur**, a private individual in Beaverton, Oregon, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the number of Employment Authorization Document applicants under the C8 pending asylum case category who are filing from or living in California. (Case Number COW 2022-004238)
- On August 29, 2022, **Maren Machles** a representative of the *Project on Government Oversight* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the Enforcement Action Statistical Analysis and Reporting System database from January 1, 2010, to the present. (Case Number CBP-2022-123768)
- On August 29, 2022, **Maren Machles** a representative of the *Project on Government Oversight* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to allegations of misconduct and use of force entered in the Joint Integrity Case Management System database from January 1, 2010, to the present. (Case Number CBP-2022-123769)

- On August 29, 2022, **Laura Sanchez** a representative of *Milenio News* in Mexico City, Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of Mexican nationals who have died in Customs and Border Protection facilities from CY 2006 to the present date. (Case Number CBP-2022-123826)
- On August 29, 2022, **Philip Mantle**, a private individual requested from the United States Coast Guard (USCG) records pertaining to the sighting of an unidentified submerged object observed by civilians and the USCG in Pascagoula, Mississippi on November 6, 1973. (Case Number 2022-CGFO-02392)
- On August 29, 2022, **Glen Milner**, a private individual in Lake Forest Park, Washington, requested from the United States Coast Guard (USCG) records pertaining to the arrival of the U.S. Navy fleet at the Seattle Seafair festival in August 2022. (Case Number 2022-CGFO-02393)
- On August 30, 2022, **Dave Coskey**, a representative of **Seven Mile Publishing LLC**, in Avalon, New Jersey, requested from the United States Coast Guard (USCG) records pertaining to the Search and Rescue (SAR) records related to an incident that took place on August 2, 1972. (Case Number 2022-CGFO-02399)
- On August 31, 2022, **Vladimir Kislinger**, a representative of *News Channel 8* in Tampa, Florida requested from the United States Coast Guard (USCG) records pertaining to bodies of deceased individuals recovered off the Florida coast. (Case Number 2022-CGFO-02408)
- August 31, 2022, **Erin McKay**, a private individual requested from the United States Coast Guard (USCG) records pertaining to the 16-inch San Pedro Bay pipeline that failed offshore near the cities of Long Beach and Huntington Beach, California on October 2, 2021. (Case Number 2022-CGFO-02409)
- On August 30, 2022, **Sofia Mejias-Pascoe** a representative of *inewssource* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Missing Migrant Program Internal Operating Procedure and Border Safety Initiative Tracking System User Manual. (Case Number CBP-2022-124128)
- On August 31, 2022, **William Melugin** a representative of *FOX News* in Los Angeles, California, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the amount of money FEMA has spent via reimbursements or grants to all nongovernmental organizations & state and city governments in the U.S. through FEMA's emergency food and shelter program to house, transport, and feed undocumented migrants who have been released into the U.S. from federal custody following processing. (Case Number 2022-FEFO-00807)

**Late Requests:**

- Nothing significant to report.

### III. Freedom of Information Act Releases

- On August 26, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Youyou Zhou**, a representative of **Quartz** in New York, New York, 316 pages of records pertaining to the explanation for sending Requests for Evidence to H1-B applicants during FY2017, and FY2018. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2018-000627)
- On August 26, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Gunita Singh** a representative of **Property of the People** in Washington D.C., 12 pages of records pertaining to the resume and position descriptions for Kaitlin Vogt Stoddard, Elizabeth Ann Jacobs, and Lee Francis Cissna. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number NRC 2018-077279)
- On August 26, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Christina Abraham and Andres Caballero**, representatives of **Abraham Law and Consulting, LLC** in Chicago, Illinois, 3,110 pages of records and five spreadsheets pertaining to statistical immigration data on I-589s, N-648s, proceedings and revocation of naturalization as well as procedure manuals, internal policy guidance, and training materials provided to USCIS officers regarding processing and adjudication of N-648s, N-400s, I-589s. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number NRC 2019-013672)
- On August 26, 2022, U.S. Customs and Border Protection (CBP), released to **Nichola Groom**, a representative of **Reuters** in Altadena, California, records pertaining to statistical information related to detained shipments under the Withhold Release Order (WRO) against Hoshine Silicon Industry Co. Ltd. Portions of this release were withheld pursuant to FOIA exemption 4. (Case number CBP-2022-102103)
- On August 26, 2022, the U.S. Citizenship and Immigration Services (USCIS) released to **Jason Leopold**, a representative of **BuzzFeed News** in Los Angeles, California, 3,270 pages of records and one Excel document pertaining to the calendars and phone call log of Acting Director Ken Cuccinelli. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number COW 2019-501088)
- On August 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Vela**, a representative of **Hometown Life – USA Today Network** in Wixom, Michigan, a 1-page record pertaining to a Homeland Security incident/investigation report regarding two parcels seized in January 2022, at O'Hare International Airport in Chicago, sent from Moldova and heading to Livonia, Michigan. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2022-ICFO-06156)
- On August 29, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Edward Hasbrouck**, a representative of **The Identity Project** in Oakland, California, 13 pages of records pertaining to public comments received in response to the notice TSA published in accordance with the Paperwork Reduction Act on November 8, 2016. The responsive records are being released in full. (Case Number 2022-HQFO-00583)

- On August 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Luiz Toledo**, a representative of *Columbia Journalism Investigations at Columbia University* in New York, New York, a 1-page of record pertaining to the names of every person arrested from 2015 to 2021 due to arms trafficking, including the country of destination. Portions of the release will be withheld pursuant to FOIA Exemption 7(E). (Case Number 2022-ICFO-15495)
  - On August 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Nicole Einbinder**, a representative of *MuckRock News* in Somerville, Massachusetts, 4 pages of records pertaining to the homicide investigation of Marilyn Cazares, who died on or about July 13, 2020, in Brawley, California. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2022-ICFO-16047)
  - On August 29, 2022, U.S. Customs and Border Protection (CBP) released to **Kavitha Surana**, a representative of *ProPublica*, in New York, New York, 44 pages of records pertaining to an incident that involved a chase and collision on November 21, 2017, on Highway 83 in Los Barreras, Texas in the Rio Grande Valley Border Patrol's area of responsibility. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2019-028797)
  - On August 29, 2022, U.S. Customs and Border Protection (CBP) released to **Khushbu Shah**, a representative of *The Guardian* in Decatur, Georgia, 25 pages of records pertaining to incident reports, data, communications, related to the case of Indian national Gurupreet Kaur, who was found deceased in the Arizona desert June 12, 2019. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-069640)
  - On August 30, 2022, U.S. Customs and Border Protection (CBP) released to **Melissa Del Bosque**, a representative of *ProPublica* in New York, New York, 34 pages of records pertaining to reports of investigation related to suicidal CBP employee, allegations of mental, physical, and sexual abuse against an unknown CBP employee, and a sexual assault and harassment allegation. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-075488)
  - On August 30, 2022, U.S. Customs and Border Protection (CBP) released to **Gabrielle Fonrouge**, a representative of the *New York Post*, in New York, New York, a 1-page record pertaining to a list of immigrants who were apprehended by U.S. Customs and Border Protection at the Southern Border of the U.S. between January 1, 2021, and March 28, 2021, and later died in CBP custody. This record was released in full. (Case number CBP-2021-046895)
- On August 30, 2022, U.S. Customs and Border Protection (CBP) released to **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, 31 pages of records pertaining to case summaries for reportable offenses related to stalking, harassment, sexual assault, a notice of restraining orders, and alleged domestic violence in which agents are victims or perpetrators. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(A), 7(C), and 7(E). (Case number CBP-2022-033955)



- On August 31, 2022, U.S. Customs and Border Protection (CBP) released to **Kavitha Surana**, a representative of *ProPublica*, in New York, New York, 226 pages of records pertaining to an incident that involved a chase and collision on June 2, 2017, in El Centro, California in the Campo Border Patrol's area of responsibility. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-028802)
- On September 1, 2022, the Cybersecurity and Infrastructure Agency (CISA) released to **Patrick Egan**, a representative of *sUAS News* in Sacramento, California, 2 pages of records pertaining to the releasable portions of an alert issued by CISA regarding Chinese drones sending sensitive data to China. These records were released in full. (Case Number 2019-NPFO-00228)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Julie Ann Dahlstrom, Heba Gowayed v. U.S. Department of Homeland Security (DHS) (22-cv-01165)*, plaintiff filed a FOIA request on August 7, 2020, seeking records pertaining to T-1 nonimmigrant status applications for victims of trafficking. On August 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released three spreadsheets to the plaintiff.
- In the matter of *Justice Action Center and Immigrant Defenders Law Center v. U.S. Department of Homeland Security (DHS) (21-cv-07592)* plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to government processes concerning minor children accompanied by a non-parent relative. Plaintiff filed suit on September 22, 2021, claiming injunctive relief. On August 25, 2022, U.S. Customs and Border Protection (CBP) issued its fifth response consisting of 72 pages of records to the plaintiff.
- In the matter of *Julie Ann Dahlstrom, Heba Gowayed v. U.S. Department of Homeland Security (DHS) (22-cv-01165)*, plaintiff filed a FOIA request on August 7, 2020, seeking records pertaining to T-1 nonimmigrant status applications for victims of trafficking. On August 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released three spreadsheets to the plaintiff.
- In the matter of *RAICES v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On August 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 13 minutes of a 51-minute video to the plaintiff.
- In the matter of *EFF v. U.S. Department of Homeland Security (DHS) (22-cv-01957)*, plaintiff filed a FOIA request on March 28, 2022, seeking records pertaining

to contractual agreements with SRA International pursuant to the Visa Lifecycle Vetting Initiative (VLVI). On August 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 726 pages of records to the plaintiff.

- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) (19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On August 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 592 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye and NBC Universal Media v. U.S. Department of Homeland Security (DHS) (20-cv-00280)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On August 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released 592 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. U.S. Department of Homeland Security (DHS) (21-cv-02371)*, plaintiff filed a FOIA request on May 18, 2020, seeking records pertaining to DHS information processing systems and what electronic searches it permits. On August 29, 2022, U.S. Citizenship and Immigration Services (USCIS) released two pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On August 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 87 pages of records to the plaintiff.
- In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00017)*, plaintiff filed a FOIA request on January 7, 2022, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On August 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 342 pages of records to the plaintiff.
- In the matter of *Knight First Amendment Institute at Columbia University v. U.S. Department of Homeland Security (DHS) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to vetting policies, and about the government's understanding of its authority to base immigration decisions on individuals' speech, beliefs, or associations. On August 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 592 pages of records to the plaintiff.
- In the matter of *Competitive Enterprise Institute v. McCarthy (21-cv-01238) (2022-HQLI-00008)*, plaintiff filed a complaint on July 20, 2021, seeking records pertaining to emails between Alejandro Mayorkas (or his immediate staff on his behalf) and Gina McCarthy or other members of the National Climate Task Force. On August 30, 2022, the Department of Homeland Security (DHS) Privacy Office released 13 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Massachusetts v. U.S. Department of Homeland Security (DHS) (19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, seeking records pertaining to the profiling of certain

individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On August 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 101 pages of records to the plaintiff.

- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS)*, (20-cv-03000), plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants. On August 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 244 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of Homeland Security (DHS)* (20-cv-02472), plaintiff filed a FOIA request on August 3, 2020, seeking records pertaining to the development and implementation of the guidance for the redeployment of invested capital from immigrant investors as part of the EB-5 Immigrant Investor Program. On August 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 66 pages of records to the plaintiff.
- In the matter of *Innovation Law Lab v. U.S. Immigration and Customs Enforcement (ICE)* (22-cv-00443), plaintiff filed a FOIA request on May 3, 2022, seeking records pertaining to the DHS Office of the Inspector General inspection of the Torrance County Detention Facility that took place from February 1, 2022, through February 3, 2022. On August 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,115 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE)*, (20-cv-02363), plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office, including all sub-offices, between January 1, 2017, through the present. On August 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 22 pages of records to the plaintiff.
- In the matter of *Sierra Club v. U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP)* (17-cv-05273) plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On August 31, 2022, U.S. Customs and Border Protection (CBP) issued its fortieth interim release consisting of 53 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)* (18-CV-01531), plaintiff filed a complaint on June 27, 2018, seeking records pertaining to the separation of adult family members from minor children and the number of adult family members who were referred for criminal prosecution. On August 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 96 pages of records to the plaintiff.

- In the matter of *Leopold, BuzzFeed v. U.S. Department of Homeland Security (DHS) (18-cv-01957)*, plaintiff filed a complaint on August 21, 2018, seeking records pertaining to emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On August 31, 2022, the Department of Homeland Security (DHS) Privacy Office released the forty-fifth and last interim response, consisting of 37 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E).
- In the matter of *State of Florida v. DHS (21-cv-14462)*, plaintiff filed a complaint on December 3, 2021, seeking records pertaining to DHS policy on immigration detention practices (release rather than detain) and detention capacity. On August 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 919 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of the *State of Florida v. Department of Homeland Security (DHS) (21-14462)*, plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to the impacts of DHS's September 30, 2021, immigration enforcement guidance. Plaintiff filed suit on September 12, 2021, claiming injunctive relief. On August 31, 2022, U.S. Customs and Border Protection (CBP) issued its third interim response consisting of 53 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
September 1, 2022- September 7, 2022  
DHS Privacy Office  
September 12, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On September 1, 2022, **Danyelle I Khmara**, a representative of *Arizona Daily Star* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to a vehicle pursuit on July 28, 2022, which resulted in one fatality. (Case Number CBP-2022-125349)
- On September 1, 2022, **John Power**, a representative of *Asia Business Editor* in Singapore, requested from the United States Coast Guard (USCG) records pertaining to correspondences between the USCG and Solomons Islands' officials between August 20 and August 26, 2022. (Case Number 2022-CGFO-02382)
- On September 2, 2022, **Anne Stohrer**, a private individual in Davis, California, requested from the United States Coast Guard (USCG) records pertaining to meeting minutes of the United States Coast Guard Academy's Academic Board meeting from December 10, 1941. (Case Number 2022-CGFO-02424)
- On September 5, 2022, **Dhruv Mehrotra**, a representative of *Wired* in Beacon, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to an investigation tracked by the Joint Integrity Case Management System (JICMS) related to CBP employee allegations of unauthorized access or inappropriate use or disclosure of information from January 1, 2010, through the present. (Case Number CBP-2022-126098)
- On September 6, 2022, **Allan Blutstein**, a representative of **America Rising Corporation** in Arlington, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to email correspondences sent by Albuquerque Port Director Steven Carman containing the following terms: “Better Call Saul” and “Breaking Bad” from April 18, 2022, through August 16, 2022. (Case Number CBP-2022-126307)
- On September 6, 2022, **Dhruv Mehrotra** a representative of *Muckrock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to an investigation tracked by the Joint Integrity Case Management System (JICMS) related to employee allegations of unauthorized access or inappropriate use or disclosure of information (Case Number 2022-ICFO-28406)
- On September 7, 2022, **Scott MacFarlane** a representative of *CBS News* in Washington D.C., requested from the Federal Emergency Management Agency

(FEMA) records pertaining to correspondences between the FEMA Administrator and the mayor of Jackson, Mississippi, between August 1, 2022, through the present. (Case Number 2022-FEFO-00821)

- On September 7, 2022, **Jason Leopold**, a representative of *Bloomberg News* in Beverly Hills, California, requested from the United States Secret Service (USSS) records pertaining to correspondences and communications mentioning national security threats and security breaches, trespassing and unauthorized entry, that took place on the grounds of MAR-A-LAGO, in the immediate vicinity of former President Donald Trump while he was a protectee, to include any records Secret Service personnel exchanged with the Palm Beach Police Department. (USSS Case Number 20220678)
- On September 7, 2022, **Denise Coffey**, a representative of *Cape Cod Times* in Hyannis, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to correspondences to and from the Barnstable County Sheriff's Office in Massachusetts, regarding a boating incident on Monday, August 22, 2022. (Case Number 2022-CGFO-02439)
- On September 7, 2022, **Sophie Sonnenfeld**, a representative of *Yale Daily News* in New Haven, Connecticut, requested from the United States Coast Guard (USCG) records pertaining to an individual who was found deceased on the Long Island Sound. (Case Number 2022-CGFO-02441)
- On September 7, 2022, **Stan Milan**, a representative of **Jones Walker, LLC** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to a final inspection report involving a recent pollution incident in Panama and Louisiana Carriers. (Case Number 2022-CGFO-02443)
- On September 7, 2022, **Maeve McGoran**, a representative of *National Public Radio* in Washington, D.C., requested from the United States Coast Guard (USCG) records pertaining to email communications sent by the Coast Guard Investigative Service Gulf Region office to the Coast Guard Investigative Service Southeast Region Senior Agent in Charge and Assistant Senior Agent in Charge on January 29, 2019, related to a decision to reject a criminal case investigation. (Case Number 2022-CGFO-02445)

**Late Requests:**

- On August 26, 2022, **Courtney Buble**, a representative of *Government Executive.com* in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to email communications between senior OIG officials and members of the Council of the Inspectors General on Integrity and Efficiency. (Case Number 2022-IGFO-00274)
- On August 30, 2022, **Nick Schwellenbach**, a representative of the **Project on Government Oversight** in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to final or draft letters that were sent by members of Congress to the Department of Transportation Office of Inspector General related to

an Integrity Committee investigation involving DHS OIG leadership from August 1, 2019, through the present. (Case Number 2022-IGFO-00275)

- On August 31, 2022, **Elizabeth Trovall**, a representative of *Houston Chronicle* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of human smuggling disruptions, smuggling arrests, and migrants discovered because of human smuggling that occurred from the Fiscal Year (FY) 1990 to Fiscal Year (FY) 2022. (Case Number CBP-2022-124701)
- On August 31, 2022, **James Donellan**, a private individual in Lufkin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the migration control or reduction plan documents as described in the White House press briefing by Secretary Karine Jean-Pierre on August 31, 2022. (Case Number CBP-2022-124889)

### III. Freedom of Information Act Releases

- On September 1, 2022, U.S. Customs and Border Protection (CBP) released to **Kavitha Surana**, a representative of *ProPublica*, in New York, New York, 122 pages of records pertaining to reports, photographs, and two videos related to an incident that involved a chase and collision on July 1, 2018, in the Calexico Border Patrol's area of responsibility. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-028803)
- On September 1, 2022, U.S. Customs and Border Protection (CBP) released to **Caitlyn Deighan**, a representative of *No More Deaths* in Tucson, Arizona, 32 pages of records pertaining to memos, directives and Privacy Impact Assessments related to the Border Patrol's practice of assisting migrants through search and rescue operations carried out by the Border Patrol's Search, Trauma, and Rescue (BORSTAR) unit, or by other Border Patrol personnel within the Tucson Sector. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2019-068824)
- On September 1, 2022, U.S. Customs and Border Protection (CBP) released to **Austin Evers**, a representative of *American Oversight* in Washington, D.C., 30 pages of records pertaining to photographs of the Central Processing Station in McAllen, Texas, and the Clint Border Patrol Station. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-068928)
- On September 1, 2022, U.S. Customs and Border Protection (CBP) released to **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, 80 pages of records pertaining to case summaries related to female border patrol agents between 2003 and the present alleging employee misconduct. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(A), 7(C), and 7(E). (Case number CBP-2022-033969)
- On September 2, 2022, U.S. Customs and Border Protection (CBP) released to **SangYeob Kim**, a representative of the *American Civil Liberties Union of New*



*Hampshire* in Concord, New Hampshire, 445 pages of records pertaining to non-checkpoint apprehensions by Border Patrol in New Hampshire from January 17, 2021, through May 17, 2022. Portions of this request were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-079696)

- On September 2, 2022, the Transportation Security Administration (TSA) released to **Rebecca Ellis**, a representative of *OPB* in Portland, Oregon, 13 pages of records pertaining to traveler complaint forms and incident reports relating to TSA officers accused of sexual misconduct or harassment at Portland International Airport between January 2019 through the present. Portions of the release are withheld pursuant to FOIA Exemption 6. (Case Number 2022-TSFO-00803)
- On September 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Ms. Rosa Flores**, a representative of *Warner Media* in Dallas, Texas, a full denial in response to her request for records pertaining to the shooting at Robb Elementary School in Uvalde, Texas on May 24, 2022. All portions of this request are withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-116682)
- On September 2, 2022, U.S. Customs and Border Protection (CBP) issued to **Maren Machles**, a representative of the **Project on Government Oversight** in Washington, D.C., a full denial in response to her request for records pertaining to an incident where Marisol García Alcantara was shot and injured near Nogales, Arizona on June 16, 2021. These records were withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-117769)
- On September 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Hannah Beckler**, a representative of *The Insider* in New York, New York, 20 pages of records pertaining to ICE Detention center policies, and detainees. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2022-ICFO-11397)
- On September 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Han**, a representative of *Politico* in Westfield, New Jersey, 38 pages of records pertaining to contracts with CoreCivic regarding the Elizabeth Contract Detention Facility in New Jersey. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C) and 7(E). (Case Number 2022-ICFO-12426)
- On September 2, 2022, the Federal Protective Service (FPS) released to **Jack Gillum**, a representative of *Bloomberg News* in Washington, D.C., 48 pages of records pertaining to emails to or from the DHS email account of Joshua H. Henry sent or received between June 20, 2022, and July 6, 2022. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), and 7(E). (Case Number 2022-FPFO-00191)
- On September 2, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Enid Zhou**, a representative of **EPIC** in Washington, D.C., 18 pages of records pertaining to a January 8, 2016, meeting between White House Officials and tech company executives. Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-00999)

- On September 6, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **Taylor Amarel Scott**, a representative of *MuckRock News*, in Somerville, Massachusetts, 375 pages of records pertaining to email communications to, from, or copied to, USCIS.ImmigrantInvestorProgram@uscis.dhs.gov, or dhsexecsec@hg.dhs.gov from January 1, 2015, through the present containing the following term: “SECO Development.” Portions of the release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number COW 2019-500804)
- On September 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Wills Robinson**, a representative of *The Daily Mail* in New York, New York, 83 pages of records pertaining to the number of immigrants who have been placed in the Alternative to Detention program since November 2017; including where these immigrants have been sent, how many are accounted/unaccounted for and the breakdown of the nationalities of these immigrants. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number 2019-ICFO-21768)
- On September 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Nomann Merchant**, a representative of *The Associated Press* in Houston, Texas, 678 pages of records pertaining to Work Site Enforcement statistics for each month, from September 2018 through August 2019. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(A), 7(C), and 7(E). (Case Number 2019-ICFO-58908)
- On September 6, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Luke Barr**, a representative of *ABC NEWS* in Washington D.C., records pertaining to emails to and from the address aslcfw@hq.dhs.gov containing the terms: “Portland” “Oregon” “Courthouse” “Federal Protective Service or FPS” “Executive order” “White House” “WH” and any correspondence between that e-mail and Mark Morgan CBP commissioner from May 1, 2020, to October 1, 2020. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case number 2021-HQFO-00733)
- On September 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **William Marshall**, a representative of *Judicial Watch, Inc.* in Washington, D.C., 38 pages of records pertaining to the final, and all draft versions of a document titled "Final Business Case: ICE Single Series Request Submission Package" submitted by Gwen Yandell, Executive Director Human Capital Policy and Programs to the Office of Personnel Management (OPM) on or about March 26, 2019. (Case Number 2019-ICFO-60214)
- On September 6, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mark Andrew Prada**, a representative of **PRADAUDIZAR Immigration and Nationality Attorneys** in Miami, Florida, 29 pages of records pertaining to the New Attorney Training Manual and materials that are provided to new Assistant Chief Counsels who litigate and prepare immigration cases before the

Immigration Court and Board of Immigration Appeals. Portions of this release will be withheld pursuant to FOIA Exemption 6. (Case Number 2022-HQFO-00924)

- On September 6, 2022, U.S. Customs and Border Protection (CBP) released to **Marcia Robiou**, a representative of *Public Broadcasting Station WBGH* in Boston, Massachusetts, 23 pages of records pertaining to email communications related to a November 2017 memo from U.S. Border Patrol that mentions a July 6, 2017, decision by the Acting U.S. Attorney for the District of New Mexico to remove restrictions imposed on referrals from Border Patrol's El Paso Sector. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2019-078519)
- On September 7, 2022, U.S. Customs and Border Protection (CBP) released to **Roxanne Scott**, a representative of *Futuro Media*, in New York, New York, a one-page record pertaining to the monthly number of migrant rescues and deaths for calendar years 2016 - 2021 in the Tucson and Yuma Border Patrol sectors. (Case number CBP-2022-037233)
- On September 7, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mehreen Rasheed**, a representative of **American Oversight** in Washington, D.C., 61 pages of records pertaining to communications between DHS and White House officials from January 1, 2018, to August 7, 2019. Portions of this response will be withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2019-HQFO-01114)
- On September 7, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C., 49 pages of records pertaining to travel expenses for Secretary Chad Wolf and his Chief of Staff for the month of August of 2020. Portions of this response are being withheld pursuant to FOIA Exemption 6. (Case Number 2020-HQFO-01826)
- On September 7, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Andrew Joyce**, a representative of *MuckRock News* in Somerville, Massachusetts, two pages of records pertaining to communications, documents, or correspondences concerning the sharing of information collected as part of the Deferred Action for Childhood Arrivals (DACA) program with ICE. USCIS referred the request and two pages of responsive records to PRIV on November 9, 2020. Portions of this response are being withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2021-HQFO-00170)
- On September 7, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Sean Dunagan** a representative of **Judicial Watch** in Glenwood Springs, Colorado, 58 pages of records pertaining to the visit of Secretary Mayorkas to Texas in August 2021. Portions of this response are being withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number 2021-HQFO-01405)
- On September 8, 2022, the Federal Protective Service (FPS) released to **Jason Leopold**, a representative of *Bloomberg News* in Beverly Hills, California, 22 pages

of records pertaining to emails, information bulletins, and open-source reports related to protests planned or staged at Federal Bureau of Investigation (FBI) buildings. Portions of this response will be withheld pursuant to FOIA Exemptions 6, 7(C), 7(E), and 7(F). (Case Number 2022-FPFO-00203)

- On September 8, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative of **American Oversight** in Washington, D.C., 22 pages of records pertaining to the tracking and investigation of organizers, journalists, immigration advocates in relation to a migrant caravan. Portions of this response are being withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2019-HQFO-00478)
- On September 8, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C., 5 pages of records pertaining to email communications with Senator Josh Hawley or any member of Senator Hawley's staff from January 3, 2021, to December 28, 2021. Portions of this release have been withheld with FOIA Exemption 6. (Case Number 2022-HQFO-00384)
- On September 8, 2022, the Cybersecurity and Infrastructure Security Agency (CISA) released to **Clara McMichael**, a representative of **New York University** in New York, New York, 370 pages of records pertaining to e-mail communications between HireVue and CISA related to statements of work and contractual documents. Portions of this release will be withheld pursuant to FOIA Exemptions 4, 5, 6, and 7(E). (Case Number 2021-NPFO-00044)
- On September 8, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Kristin Cooke**, a representative of **Reuters** in San Francisco, California, 14 pages of records pertaining to policy directives, memoranda, or training materials mentioning or referencing the Visa Lifecycle Vetting Initiative. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case number 2022-HQFO-00822)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *American Civil Liberties Union Foundation v. U.S. Customs and Border Protection (CBP) (21-cv-10430)*, plaintiff filed a FOIA request on August 17, 2020, under 2020-HQFO-01588, seeking records pertaining to the use of aerial surveillance associated with Civil Unrest surrounding the death of George Floyd. Plaintiff filed suit on December 7, 2021, claiming declaratory and injunctive relief.

On August 31, 2022, U.S. Customs and Border Protection (CBP) released its second interim response consisting of three pages of records to the plaintiff.

- In the matter of *Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (20- cv-02348)*, plaintiff filed a FOIA request on October 18, 2019, seeking records pertaining to USCIS BASIC and Terrorism Related Inadmissibility Grounds [TRIG] participant and instructor training guides for 2015, 2017, & 2019 through the present. On September 1, 2022, the United States Citizenship and Immigration Services (USCIS) released 383 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (20- cv-02348)*, plaintiff filed a FOIA request on November 13, 2019, seeking records pertaining to USCIS BASIC and Terrorism-Related Inadmissibility Grounds [TRIG] participant and instructor training guides for 2015, 2017, & 2019 through the present. On September 1, 2022, the United States Citizenship and Immigration Services (USCIS) released 317 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20- cv-2725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to contracts, memorandums of understanding, e-mail, and all other items associated with the submission; acceptance, and review of detainee health with Kenosha County, Wisconsin, for the health care provided to people held under immigration laws. On September 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 496 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)* plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to ICE documents related to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On September 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,388 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE)(21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to data regarding administrative arrest warrants and administrative subpoenas. On September 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 489 pages of records to the plaintiff.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to the creation, implementation, or oversight of supervision programs including Intensive Supervision Appearance Program (ISAP) and the ATD Case Management Pilot Program from December 19, 2019, through the present. On September 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 910 pages of records to the plaintiff.

- In the matter of *EPIC v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00762)*, plaintiff filed a FOIA request on December 3, 2021, seeking records pertaining to ICE's communications and contracts with ShadowDragon and ICE's use of SocialNet and records related to ICE's communications and contracts with Babel Street's software and use of location data. On September 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 111 pages of records to the plaintiff.
- In the matter of *The Center for Investigative Reporting v. U.S. Department of Homeland Security (DHS) (21-cv-09633)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On September 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 11 pages of records to the plaintiff.
- In the matter of *Project South v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00151)*, plaintiff filed a FOIA request on May 12, 2021, seeking records pertaining to the social media monitoring and surveillance of several human rights activist organizations and individuals. On September 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 5 pages of records to the plaintiff.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status, and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On September 2, 2022, released 977 pages of records to the plaintiff.
- In the matter of *Americans for Prosperity Foundation v. U.S. Citizenship and Immigration Services (USCIS), (22-cv-01140)*, plaintiff filed a FOIA request on March 10, 2022, seeking records pertaining to the results of the Known Employer Pilot program from January 1, 2015, through the present. On September 6, 2022, the United States Citizenship and Immigration Services (USCIS) released 48 pages of records and two spreadsheets to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) 21-cv-06239*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On September 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released 34 pages of records to the plaintiff.
- In the matter of *Tau v. U.S. Department of Homeland Security (DHS) (21-cv-03329) (2022-HQLI-00018)*, plaintiff filed a complaint on December 21, 2021, seeking records pertaining to the use of commercially available data or metadata products, services, or databases. On September 6, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the August interim response, consisting of 339 pages of records to the plaintiff.

- In the matter of *Erin Siegal McIntyre v. U.S. Customs and Border Protection (21-cv-03157)* plaintiff filed a FOIA request on November 19, 2019, seeking records pertaining to complaints and investigations into the use of “rape tables” and hazing rituals in CBP between 2009 and the present. Plaintiff filed suit on December 2, 2021, claiming constructive denial. On September 7, 2022, U.S. Customs and Border Protection released 2 pages of records to the plaintiff.
- In the matter of *Catholic Legal Immigration Network, Inc v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017, through August 12, 2019. On September 7, 2022, U.S. Citizenship and Immigration Services (USCIS) released 308 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
September 8, 2022, to September 14, 2022  
DHS Privacy Office  
September 19, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On September 7, 2022, **Victoria Gaubeca**, a representative of **Alliance San Diego** in Tucson, Arizona requested from U.S. Customs and Border Protection (CBP) records pertaining to the Use of Force Incident Guide cited in a CBP Directive. (Case Number CBP-2022-127081)
- On September 8, 2022, **Hart Wood**, a representative of *American Oversight* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to protocol, guidance, policy, or practices regarding the storage and preservation of text messages, including but not limited to, any current agency records retention schedule from January 21, 2017, to present date. (Case Number CBP-2022-127411)
- On September 8, 2022, **Andrea Richardson**, a representative of **BBG Real Estate Services** in Charleston, South Carolina, requested from the United States Coast Guard (USCG) records pertaining to a gasoline release that occurred on October 10, 1999. (Case Number 2022-CGFO-02463)
- On September 9, 2022, **Rachel Santasiero**, a representative of the **National Security Archive** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to background papers, briefings, agendas, and Environmental Impact Statements from June 1, 2012, to June 30, 2014, related to the DHS risk assessments referred to as the Homeland Security Strategic Environment Assessment (HSSEA). (Case Number 2022-HQFO-01674)
- On September 9, 2022, **Jeana Lougea**, a representative of **Jacob and Hefner Associates Inc** in Downers Grove, Illinois, requested from the United States Coast Guard (USCG) records pertaining to an oil spill that occurred between January 22, 1980, and January 23, 1980, in Matteson, Illinois. (Case Number 2022-CGFO-02481)
- On September 9, 2022, **Courtney Rozen**, a representative of **Bloomberg Government** in Arlington, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications between Secretary Alejandro Mayorkas and Deputy Secretary John Tien Chief of Staff Kristie Canegallo General Counsel Jonathan Meyer Assistant Secretary of the Office of Legislative Affairs Alice Lugo mentioning the words: Roe



v. Wade, Dobbs v. Jackson Women’s Health Organization, leak, pregnant, abortion, rape, incest, or reproductive healthcare. (Case Number 2022-HQFO-01658)

- On September 9, 2022, **Rebecca Ellis**, a representative of **Oregon Public Broadcasting** in Portland, Oregon, requested from the Office of Inspector General (OIG) records pertaining to traveler complaint forms or incident reports relating to TSA officers accused of sexual misconduct or harassment at Portland International Airport between January 2019 through the present. (Case Number 2022-IGFO-00281)
- On September 12, 2022, **Morgan Owen**, a private individual in San Pedro, California, requested from the United States Coast Guard (USCG) records pertaining to inspections and certificate violations pertaining to the vessel BEIRUT. (Case Number 2022-CGFO-02490)
- On September 12, 2022, **Robert Ordonge**, a representative of **Cossich, Sumich, Parsiola & Taylor LLC** in Belle Chasse, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to an oil spill that occurred on August 8, 2022, around Terrebonne Bay. (Case Number 2022-CGFO-02494)
- On September 13, 2022, **John Ramsey**, a representative of **The Post and Courier** in Charleston, South Carolina, requested from the United States Coast Guard (USCG) records pertaining to incidents, accidents, or mishaps related to the USCG Cutter James between July 1, 2022, through the present. (Case Number 2022-CGFO-02506)
- On September 13, 2022, **Nick Schwellenbach**, a representative of **Project on Government Oversight**, in Charlottesville, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to correspondences involving DHS Deputy Under Secretary for Management, Randolph “Tex” Alles, and DHS’s Deputy Director for Information Technology Operations, Christopher Granger, mentioning DHS’s cellular contractor Widepoint, data or system migration, records management or retention, unauthorized disposition, Chad Wolf, Ken Cuccinelli, AS1, Secret Service, Trump, Kevin Nally, and January 6. (Case Number 2022-HQFO-01683)
- On September 13, 2022, **Gladys Valle**, a representative of **Ginarte Gallardo and Gonzalez Wingard LLP** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to an incident that occurred on July 7, 2022, on the Hudson River near Pier 86. (Case Number 2022-CGFO-02513)
- On September 13, 2022, **Sam Biddle**, a representative of **The Intercept** in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to contracts, including any statements of work and modifications, and emails between Panamerica Computers, Inc. and CBP. (Case Number CBP-2022-129497)
- On September 13, 2022, **Laura Crimaldi**, a representative of **Boston Globe** in Boston, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to documents submitted by William Farwell as part of his application for employment with TSA. (Case Number 2022-TSFO-00912)

### Late Requests:

- Nothing significant to report.

### III. Freedom of Information Act Releases

- On September 8, 2022, U.S. Customs and Border Protection (CBP) released to **Kavitha Surana**, a representative of *ProPublica*, in New York, New York, 1,047 pages of records pertaining to an incident that involved a chase and collision on December 22, 2016, in the Boulevard Border Patrol's area of responsibility. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-028787)
- On September 8, 2022, the Transportation Security Administration (TSA) released to **Kathy Curran**, a representative of *WCVB-TV* in Auburndale, Massachusetts, 44 pages of records pertaining to the three most recent Joint Vulnerability Assessment reports from assessments of Logan International Airport in Boston, copies of weekly testing reports of duress alarms for 2020, and copies of data or reports reflecting weapons and prohibited items abandoned or identified at TSA security checkpoints at Logan International Airport for 2018, 2019 and 2020. Portions of the release are withheld pursuant to FOIA Exemptions 3, and 6. (Case Number 2021-TSFO-00683)
- On September 8, 2022, Transportation Security Administration (TSA) released to **Brittany Johnson**, a representative of *KCRA 3 News* in Sacramento, California, a no records response regarding her request for records pertaining to a video of Assemblyman James Cooper going through the TSA checkpoint from Terminal B of the Sacramento International Airport on March 3, 2022. (Case Number 2022-TSFO-00699)
- On September 9, 2022, the Transportation Security Administration (TSA) released to **Cheryl Thompson**, a representative of *NPR* in Washington, D.C., a one-page record pertaining to claims paid by TSA since January 1, 2014, the names and titles of all TSA officers assigned to airports and the airports to which they're assigned and the dates of hire, and all settlements paid on behalf of TSA since January 1, 2014. Portions of the release are withheld pursuant to FOIA Exemption 6. (Case Number 2019-TSFO-00298)
- On September 9, 2022, U.S. Citizenship and Immigration Services released to **Matthew Taylor**, a private individual in Somerville, Massachusetts, 233 pages of records pertaining to the calendars and schedules for USCIS advisor Robert Law from October 1, 2018, through the present. Portions of this release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number COW 2019-500868)
- On September 9, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Austin Kocher**, a representative of **Transactional Records Access Clearinghouse** in Syracuse, New York, 2 pages of records pertaining to the Flow Dataset referenced in the Fiscal Year 2020 Enforcement Lifecycle Report by Marc R. Rosenblum and Hongwei Zhang from the Office of Immigration Statistics. (Case Number 2021-HQFO-00451)

- On September 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Mark Walker**, a representative of *The New York Times* in Washington, D.C., a one-page record pertaining to the cost of foreign service nationals and locally employed staff for the International Operations (IO) division for FY 2020. These records were released in full. (Case Number COW 2019-500598)
- On September 13, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Sharon Reshef**, a representative of *Priorities USA* in Washington, D.C., seven pages of records pertaining to correspondences that would likely have been someone at one of the following: • @starbucks.com, • @retail.starbucks.com, • @seattlesbest.com, @teavana.com, • @tazo.com, • @evolutionfresh.com, • @ethoswater.com, • @princi.com, • @maveron.com. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2019-000121)
- On September 13, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Anne Weismann**, a representative of **Citizens for Responsibility and Ethics in Washington** in Washington, D.C., 430 pages of records pertaining to communications between Chad Wolf and officials at DHS within the Office of the Secretary, the Office of the Deputy Secretary, or the Office of Operations Coordination from January 20, 2016, through January 20, 2017; and communications between Chad Wolf and certain Wexler Walker and/or Hill + Knowlton employees from June 1, 2017, through April 23, 2019. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-HQFO-00649)
- On September 13, 2022, the Cybersecurity and Infrastructure Security Agency (CISA) released to **Malcolm Byrne**, a representative of **National Security Archive** in Washington D.C., 11 pages of records pertaining to mission statements, descriptions, justifications, organization charts, and administrative materials related to the Secret Service's role in the Joint Cyber Defense Collaborative (JCDC). Portions of this response are being withheld pursuant to FOIA Exemption 7(E). (Case Number 2022-NPFO-00198)
- On September 13, 2022, U.S. Customs and Border Protection (CBP) released to **Tina Vasquez**, a representative of *Rewire.News* in Winston Salem, North Carolina, 47 pages of records pertaining to the number of migrants who have given birth in CBP custody in both the Western and Southern Districts of Texas while awaiting prosecution for illegal entry beginning April 6, 2018, through the present. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-051474)
- On September 14, 2022, U.S. Customs and Border Protection (CBP) released to **Eric Sandy**, a representative of *GIE Media*, in Valley View, Ohio, 32 pages of records pertaining to public affairs guidance, and an information guide for CBP employees pertaining to the legalization of marijuana in Canada. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2018-053759)

- On September 14, 2022, U.S. Customs and Border Protection (CBP) released to **David MacDonald**, a private individual in Montague, Prince Edward Island, Canada, 32 pages of records pertaining to public affairs guidance, and an information guide for CBP employees pertaining to the legalization of marijuana in Canada. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP- 2018-065701)
- On September 14, 2022, U.S. Customs and Border Protection (CBP) released to **Alexander Panetta**, a representative of *Politico*, in Washington, D.C., 32 pages of records pertaining to public affairs guidance, and an information guide for CBP employees pertaining to the legalization of marijuana in Canada. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2019-022434)
- On September 14, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Brody Ford**, a representative of *Bloomberg News* in New York, New York, 25 pages of records pertaining to contracts, memorandum of understanding, or written agreements between DHS and Salesforce, Inc. including the contract, the date, total cost, contract duration, and all services rendered from January 1, 2021, through June 13, 2022. Portions of this release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number COW 2022-002875)
- On September 14, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Colin Grabow** a representative of the **Cato Institute** in Washington, D.C., 3 pages of records pertaining to DHS's response to the application submitted by the Governor, Secretary of State, and President of the Economic Development Bank of Puerto Rico for a waiver of the Jones Act to allow the transportation of LNG on non-coastwise qualified vessels from U.S. domestic sources to points in Puerto Rico for use in the generation of electric energy. This response is being released in full. (Case Number 2022-HQFO-00074)
- On September 15, 2022, the Cybersecurity Infrastructure Security Agency (CISA) released to **Waqas Mirza**, a representative of *MuckRock News* in Somerville, Massachusetts 422 pages of records pertaining to email communications between Haroon Azar, the Strategic Engagement Regional Director, and Salam Al-Marayati and Edina Lecovich of the Muslim Public Affairs Council (MPAC) from January 1, 2015, through February 6, 2017. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2017-NPFO-00221)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

## VI. Litigation

- In the matter of *Jason Leopold v. U.S. Department of Homeland Security (DHS) (21-cv-00545) (2021-HQLI-00017)* plaintiff filed a complaint on January 11, 2021, seeking records pertaining to communications, directives, threat assessments, and intelligence reports surrounding the January 6, 2021 “Save America Rally” and the “Stop the Steal” rally held in the U.S. Capitol. On September 9, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 14 pages of records to the plaintiff. Of the 14 pages, 2 pages are released in full, while 12 pages are withheld in part pursuant to FOIA exemptions 5 and 6
- In the matter of *American Immigration Council v. U.S. Customs and Border Protection and U.S. Department of Homeland Security (21-cv-03314)* plaintiff filed a FOIA request on July 29, 2021, seeking records pertaining to CBP's implementation of the mobile application CBP One. Plaintiff filed suit on December 20, 2021, claiming injunctive relief. On August 9, 2022, U.S. Customs and Border Protection (CBP) issued its third interim response consisting of 452 pages of records to the plaintiff.
- In the matter of *American Oversight v. United States Department of Justice (DOJ) et al (20-cv-02153)*, the plaintiff filed a complaint on October 8, 2020, seeking records pertaining to protest response directives and guidance drafted, revised, finalized, or distributed from May 25, 2020, through October 20, 2020. On September 12, 2022, U.S. Customs and Border Protection (CBP) issued the sixth interim release, consisting of 70 pages of records to the plaintiff.
- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. U.S. Department of Homeland Security (DHS) (19-cv-03438)*, plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining to policies, procedures, guidelines, and communications relating to the screening, inspection, or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On September 12, 2022, U.S. Customs and Border Protection (CBP) released its twenty-third interim response, consisting of 750 pages of records to the plaintiff.
- In the matter of *Erin Siegal McIntyre v. U.S. Customs and Border Protection (21-cv-03157)* plaintiff filed a FOIA request on November 18, 2019, seeking records pertaining to complaint investigations related to the Border Patrol Training Academy between the years 1990 and the present. Plaintiff filed suit on December 2, 2021, claiming constructive denial. On September 13, 2022, U.S. Customs and Border Protection (CBP) released 35 pages of records to the plaintiff.
- In the matter of *Leopold and Buzzfeed News v. Department of Defense (DOD) (20-cv-02179) (2020-HQLI-00037)*, plaintiff filed a complaint on June 1, 2020, seeking records pertaining to emails communications, memos, letters, and directives, involving agency decision-makers, defined as all GS-15 and Senior Executive Service employees, and political appointees, mentioning or referring to "Minneapolis riot," "Los Angeles riot," "Washington, DC riot," "protests and black lives matter," "protests and George Floyd," "protests and rioters and looters On September 14,

2022, U.S. Department of Homeland Security (DHS) Privacy Office released 111 pages of records to the plaintiff.

- In the matter of *Joshua Phillips v. U.S. Department of Homeland Security (DHS) (19-cv-01971) (2019-HQLI-00027)* plaintiff filed a FOIA request On February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and any reports that discuss the threat of domestic terrorism. On September 15, 2022, the Department of Homeland Security (DHS) Privacy Office released 19 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
September 15, 2022- September 21, 2022  
DHS Privacy Office  
September 26, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On September 15, 2022, **Jeff Stover**, a representative of **FTI Consulting** in Bellingham, Washington, requested from the United States Coast Guard (USCG) records pertaining to spills and releases reported in the I&J Waterway, in Bellingham, Washington, for the years 1959 to 1985. (Case Number 2022-CGFO-02530)
- On September 15, 2022, **Zach Steiber**, a representative of *The Epoch Times* requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications to and from Alejandro Mayorkas, John Tien, Kristie Canegallo, Kimberly O'Connor, Jonathan Meyer, and Michael Day mentioning any of the following terms in the body or subject line: “Global Internet Forum to Counter Terrorism -GIFCT” from January 20, 2021, to January 20, 2022. (Case Number 2022-HQFO-01693)
- On September 16, 2022, **Richard Calogero**, a representative of **Tetra Tech** in Middletown, New York, requested from the United States Coast Guard (USCG) records pertaining to an incident of a sheen reported to the USCG on June 26, 2019, at the IMTT Facility in Bayonne, New Jersey. (Case Number 2022-CGFO-02536)
- On September 18, 2022, **Jay Johnson**, a private individual in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to communications related to a fireworks display in the Puget Sound region within 250 miles of Seattle on September 17, 2022. (Case Number 2022-CGFO-02585)
- On September 19, 2022, **Cynthia Gilchrest**, a representative of **Common Sense Environmental Inc.** in New Bedford, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to samples collected from an oil spill on the water surface in the New Bedford Harbor. (Case Number 2022-CGFO-02545)
- On September 19, 2022, **Mike Reicher**, a representative of *The Seattle Times* in Seattle, Washington, requested from the United States Coast Guard (USCG) records pertaining to Marine Event Permit applications for an event on September 17, 2022, in the USCG Sector Puget Sound. (Case Number 2022-CGFO-02550)
- On September 19, 2022, **Alex Calzareth**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to emails sent to or from Tammy Meckley from June 16, 2022, through September 18, 2022, that contain any of the following terms: “genealogy”,

“genealogy”, “genealogist”, “genealogists”, “genealogist”, “genealogists”, “genealogical”. (Case Number COW 2022-004635)

- On September 19, 2022, **Alex Calzareth**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A-File of Charles John Mahoney, best known for his role of Martin Crane on the sitcom *Frasier*. (Case Number COW 2022-004645)
- On September 20, 2022, **Sharon Rondeau**, a representative of *The Post & Email* in Canterbury, Connecticut, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the naturalization records of Nur Omar Mohamed, father of Congresswoman Ilhan Omar. (Case Number COW 2022-004658)
- On September 21, 2022, **Adam Sichko**, a representative of *Nashville Business Journal* in Nashville, Tennessee, requested from the United States Coast Guard (USCG) records pertaining to a proposed pedestrian bridge to be built over the Cumberland River here in Nashville, Tennessee. (Case Number 2022-CGFO-02601)

#### **Late Requests:**

- On September 14, 2022, **Jacqueline Stevens**, a representative of **Northwestern University** in Evanston, Illinois, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications between USCIS employees to employees of private firms responsible for managing any productions of information responsive to requests under the Freedom of Information Act. Additionally, memorandums, contracts, and communications on which USCIS relied for making it impossible at present to obtain real-time information about errors in digital platforms. (Case Number COW 2022-004567)

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

- On September 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Phi Nguyen**, a representative of *Asian Americans Advancing Justice-Atlanta* in Norcross, Georgia, 1,560 pages of records pertaining to hunger strikes at the Stewart Detention Center and Folkston ICE processing center. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2018-ICFO-61726)
- On September 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Jack Poulson**, a representative of *Tech Inquiry* in Humble, Texas, 82 pages of records pertaining to contracts between Giant Oak, Inc. and ICE. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, 6, 7(C), and 7(E). (Case Number 2022-ICFO-14843)
- On September 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Caroline Haskins**, a representative of *MuckRock News* in Somerville, Massachusetts, 82 pages of records pertaining to contracts and procurement



documents. Portions of the release will be withheld pursuant to FOIA Exemptions 4, 5, 6, 7(C), and 7(E). (Case Number 2022-ICFO-14834)

- On September 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Leah Watson**, a representative of the *American Civil Liberties Union (ACLU)* in New York, New York, 79 pages of records pertaining to protests in Kenosha, Wisconsin following the shooting of Jacob Blake. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2022-ICFO-15207)
- On September 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Sacchetti**, a representative of *The Washington Post* in Washington, D.C., 179 pages of records pertaining to correspondences between White House advisor Stephen Miller and ICE. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2018-ICFO-19478)
- On September 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Elena DeBre**, a representative of *Texas Monthly* in Los Angeles, California, 23 pages of records pertaining to documents addressed specifically for the T. Don Hutto Residential Center relating to COVID-19. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-62518)
- On September 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Caroline Haskins**, a representative of *MuckRock News* in Somerville, Massachusetts, 97 pages of records pertaining to emails, instructional materials, audio recordings, waivers, and agreements from ICE's New York Field Office from January 1, 2017, to present that mention Palantir's "FALCON" mobile app. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2019-ICFO-50515)
- On September 19, 2022, the Transportation Security Administration (TSA) released to **Angela Wang**, a representative of *Insider Inc.* in New York, New York, 1,156 pages of records pertaining to a summary of every claim filed against TSA for property damaged or lost during the airport screening process, filed between January 1, 2010, and July 31, 2019. These records were released in full. (Case Number 2019-TSFO-00572)
- On September 19, 2022, the Transportation Security Administration (TSA) released to **Asher Wildman**, a representative of *News 13* in Orlando, Florida, 13 pages of records pertaining to the BAO Incident Report, TSS-E Incident Response Report, and MCO Federal Employees Viewpoint Survey 2018 Results. Portions of the release are withheld pursuant to FOIA Exemptions 3 and 6. (Case Number 2019-TSFO-00342)
- On September 20, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Kristina Cooke**, a representative of *Reuters* in San Francisco, California, a one-page record pertaining to the number of asylum applicants that requested or used a translator. These records were released in full. (Case Number COW 2019-000154)
- On September 21, 2022, the Transportation Security Administration (TSA) released to **Jay Horowitz**, a representative of *Real-World Police* in Tucson, Arizona, 9 pages

of records pertaining to the Sensitive Security Information (SSI) Identification Guide. These records were released in full. (Case Number 2022-TSFO-00510)

- On September 21, 2022, the Transportation Security Administration (TSA) released to **Cheryl Thompson**, a representative of *NPR* in Washington, D.C., a one-page record pertaining to claims and settlements paid by TSA against the agency and/or TSA officers and supervisors over alleged misconduct by TSA personnel at airports. Portions of the release are withheld pursuant to FOIA Exemptions 3, and 6. (Case Number 2022-TSFO-00680)
- On September 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Kristin Macleod-Ball**, a representative of the *American Immigration Council* in Washington, D.C., 163 pages of records pertaining to guidance and training materials related to the implementation of Notice Designating Aliens for Expedited Removal. Portions of the release were withheld pursuant to FOIA Exemptions 2, 6, and 7(C). (Case Number 2021-ICFO-09444)
- On September 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Ella Cleveland**, a representative of *Louise Trauma Center, LLC* in Washington, D.C., 360 pages of records pertaining to the Country of Origin (COI) training given to asylum officers and to ICE lawyers. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 7(E). (Case Number 2021-ICFO-39024)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to the submission, acceptance, and review of detainee health with Kenosha County, Wisconsin for the health care provided to people held under immigration laws. On September 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 528 pages of records to the plaintiff.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)*, plaintiff filed a complaint on January 11, 2018, seeking records pertaining to emails sent or received by USCIS Ombudsman Julie Kirchner; official communications sent or received by Julie Kirchner using any non-DHS email account and notes prepared by or for Julie Kirchner. On September 15, 2022, the Department of Homeland Security (DHS) Privacy Office released 273 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)* plaintiff filed a FOIA

request on July 6, 2020, seeking records pertaining to ICE’s purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On September 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 110 pages of records to the plaintiff.

- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-02168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to written reports referred to in a memorandum from Tae D. Johnson to “All ICE Employees”. On September 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.
- In the matter of *Ammad Omar and National Public Radio, Inc. v. U.S. Department of Homeland Security (DHS) (21-cv-09928)*, plaintiff filed a FOIA request on December 27, 2021, seeking records pertaining to documents produced or maintained by the agency relating to its detention facility contracts. On September 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,554 pages of records to the plaintiff.
- In the matter of *The Center for Investigative Reporting v. U.S. Department of Homeland Security (DHS) (21-cv-09633)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On September 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 13 pages of records to the plaintiff.
- In the matter of *Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and Envision Freedom Fund v. U.S. Immigration Customs and Enforcement (ICE) (22-cv-02885)*, plaintiff filed a FOIA request on January 18, 2022, seeking records pertaining to policies, guidelines, or procedures relating to immigration bonds. On September 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 762 pages of records to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) pursuant to the Johnson memorandum, which set forth guidance implementing the Pecoske memorandum. On September 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.
- In the matter of *E.G.V. v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00407)* plaintiff filed a FOIA request on March 28, 2021, seeking records pertaining to the mentioned subject’s interactions with ICE to include investigation records, ICE arrest records, requests for ICE detainers or warrants, all detention center records including but not limited to medical records, transfer records, deportation/removal records. On September 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 138 pages of records to the plaintiff.
- In the matter of *Al Otro Lado v. U.S. Customs and Border Protection (CBP) (22-cv-01450)*, plaintiff filed a FOIA request on July 20, 2021, seeking records pertaining to CBP and ICE’s unlawful treatment and processing of migrants injured from falling from

the border wall at the southern border. On September 16, 2022, U.S. Immigration and Customs and Enforcement (ICE) released a full denial to the plaintiff.

- In the matter of *Make the Road New York, Make the Road Connecticut v. U.S. Department of Homeland Security (DHS), U.S. Department of Justice (DOJ), U.S. Citizenship and Immigration Services (USCIS) (18-cv-02445)*, plaintiff filed a FOIA request on September 25, 2017, seeking records pertaining to the decision to terminate the Deferred Action for Childhood Arrivals program. On September 16, 2022, the United States Citizenship and Immigration Services (USCIS) released 19 pages of records to the plaintiff.
- In the matter of *OCAD, IDP, and CCR v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE's decision to expend resources to establish the "Citizens Academies Program". On September 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 295 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Department of Justice (DOJ)(18-cv-00290)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants and visa applicants' social media information for the purpose of conducting "extreme vetting". On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 565 pages of records to the plaintiff.
- In the matter of *Velagapudi v. U.S. Citizenship and Immigration Services (USCIS) (22-cv-00295)*, plaintiff filed a FOIA request on February 8, 2022, seeking records pertaining to the Immigrant Investor Program Office, expedited policies for new commercial enterprises, and records related to the Tryon Equestrian Project associated with Odium Equestrian Lenders, LLC. On September 20, 2022, U.S. Citizenship and Immigration Services (USCIS) released one Excel spreadsheet and 238 pages of records to the plaintiff.
- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) (19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 486 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye & NBC Universal Media v. U.S. Department of Homeland Security (DHS) (20-cv-00280)*, plaintiff filed a FOIA request on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 486 pages of records to the plaintiff.
- In the matter of the *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, seeking records pertaining to policies, communications, contracts, memoranda of understanding, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases

containing cell phone location information. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 185 pages of records to the plaintiff.

- In the matter of *Center for Immigration Studies v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01761)*, plaintiff filed a FOIA request on July 1, 2021, seeking records pertaining to the OPT Employment Compliance Unit, STEM OPT, or CPT programs, as well as records pertaining to broadcast messages. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 17 pages of records to the plaintiff.
- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)* plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly Operational Summary Safety Reports filed by contractors working with Ice Air Operations (IAO) from 2003 to the present and all records related to alleged misconduct by IAO employees between 2003 and the present. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 378 pages of records to the plaintiff.
- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to policies and guidance concerning the detention of a transgender or intersex person to include during the COVID-19 pandemic and training manuals, guides, memoranda, and other documents used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 486 pages of records to the plaintiff.
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards, conditions, and plans for migrant detention at and near the Homestead Detention Center. On September 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 606 pages of records to the plaintiff.
- In the matter of *HIRC v. U.S. Department of Homeland Security (DHS) (21-cv-12030)*, plaintiff filed a FOIA request on December 13, 2021, seeking records pertaining to ICE detainees placed into segregated housing. On September 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 458 pages of records to the plaintiff.
- In the matter of *Harvard Immigration/Refugee Clinical Program v. U.S. Department of Homeland Security (DHS) (21-cv-12030) (2022-HQLI-00015)*, plaintiff filed a complaint on December 13, 2021, seeking records pertaining to communications between U.S. Immigration and Customs Enforcement (ICE), Office of Inspector General (OIG) and Office for Civil Rights and Liberties (CRCL) related to ICE detainees placed into segregated housing. On September 22, 2022, the Department of Homeland Security (DHS) Privacy Office released 8 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
September 22, 2022- September 28, 2022  
DHS Privacy Office  
October 3, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On September 21, 2022, **Dianne Solis**, a representative of *The Dallas Morning News* in Dallas, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the critical incident reports related to an accident on January 21, 2022, which resulted in the death of Texas Department of Safety Special Agent Anthony C. Salas. (Case Number CBP-2022-132488)
- On September 21, 2022, **Justin Valentino**, a private individual in Glen Burnie, Maryland, requested from the United States Coast Guard (USCG) records pertaining to the final settlement agreement in the court case Olson v. Alejandro Mayorkas, Karl L. Schultz, and William G. Kelly in their official capacities. (Case Number 2022-CGFO-02603)
- On September 21, 2022, **Jeremy Borden**, a private individual in Durham, North Carolina requested from the United States Coast Guard (USCG) records pertaining to the previous FOIA request USCG 2015-CGF0-00132 which pertained to correspondences between the USCG and Chemrisk and its employees related to human health effects after the explosion of BP's Deepwater Horizon from April 19, 2010, through the present; and records pertaining to USCG members who experienced health impacts while working along the Gulf Coast during and after the cleanup operations. (Case Number 2022-CGFO-02611)
- On September 22, 2022, **Ike Allen**, a representative of **Point Reyes Light** in Inverness, California, requested from the United States Coast Guard (USCG) records pertaining to the release of funds from the National Pollution Funds Center's Oil Spill Liability Trust Fund for the 2021 American Challenger incident in Marin County, California north of Dillon Beach. (Case Number 2022-CGFO-02626)
- On September 22, 2022, **Jim Nash**, a representative of *MuckRock News* in Somerville, Massachusetts, requested from the U.S. Customs and Border Protection (CBP) records pertaining to airline facial recognition privacy audits. (Case Number CBP-2022-133100)
- On September 23, 2022, **Will Evans**, a representative of *Reveal* in Emeryville, California, requested from the Federal Law Enforcement Training Center (FLETC) records pertaining to Certificates of Transfer, Attestation Forms, and related invoices

for Renewable Energy Certificates (REC) received by FLETC Environmental and Safety Division from January 1, 2019, to the present. (Case number FLETC FOIA 22-225)

- On September 23, 2022, **Elizabeth Trovall**, a representative of the *Houston Chronicle* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to statistics related to deaths at the Southwest Border per Sector for FY 2021 and FY 2022. (Case Number CBP-2022-133490)
- On September 26, 2022, **Michael Ravnitsky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to the family separation policy from January 1, 2019, through the present. (Case Number CBP-2022-133751)
- On September 26, 2022, **Stephen Dinan**, a representative of *Washington Times*, in Washington, D.C., requested from the Federal Emergency Management Agency (FEMA) records pertaining to the agency's interaction with the Emergency Food and Shelter Program (EFSP). (Case Number 2022-FEFO-00814)
- On September 26, 2022, **Mick McKeown**, a representative of the **Center to Advance Security in America** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between selected CBP officials and media outlets regarding the busing or transporting of migrants from January 20, 2022, through the present. (Case Number CBP-2022-133976)
- On September 27, 2022, **Jason Leopold**, a representative of *Bloomberg News*, in New York City, New York, requested from the Office of Inspector General (OIG) records pertaining to emails, letters, memos, reports, and investigations related to complaints and concerns OIG employees and DHS employees have memorialized in writing about Inspector General Joseph Cuffari's leadership and management of the OIG's office as well as the performance and management of the DHS OIG senior staff. (Case Number 2022-IGFO-00298)
- On September 28, 2022, **Lewis Kamb**, a representative of *NBC News* in New York, New York, requested from the Office of Inspector General (OIG) records pertaining to text messages sent or received from January 6, 2021, through January 10, 2021, on the mobile devices of U.S. Secret Services agents who were ordered to turn in and/or relinquish their mobile devices in response to the Department of Homeland Security Inspector General's investigation into missing text messages of U.S. Secret Service employees in July 2022 and all correspondences or communications exchanged by OIG with the leadership of the U.S. Secret Service since July 1, 2022. (Case Number 2022-IGFO-00302)

#### **Late Requests:**

- On September 19, 2022, **Mohamed Benbattouche**, a private individual in Algeria, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A File of the late Seung-Hui Cho, the individual responsible for the Virginia Tech shooting in 2007. (Case Number COW 2022-004668)



- On September 21, 2022, **Alex Calzareth**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A File of the late Norman Gene Macdonald, former Canadian comedian known for his time on Saturday Night Live. (Case Number COW 2022-004672)

### III. Freedom of Information Act Releases

- On September 22, 2022, U.S. Customs and Border Protection (CBP) released to **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, 16 pages of records pertaining to CBP Directive 2130-030, Prevention Detection, and Response to Sexual Abuse and/or Assault in CBP Holding Facilities. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-063340)
- On September 22, 2022, the Transportation Security Administration (TSA) released to **Anne Weissman**, a representative of **Citizens for Responsibility and Ethics in Washington (CREW)** in Washington, D.C., a no records response regarding her request for records pertaining to communications between Chad Wolf, then-Vice president at Wexler-Walker, and any official at TSA within the Office of the Administrator, the Office of Security Operations, or the Office of Enterprise Support between January 20, 2016, and January 20, 2017. (Case Number 2019-TSFO-00382)
- On September 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Krsna Avila**, a representative of *Immigrant Legal Resource Center* in San Francisco, California, 203 pages of records pertaining to communications between the Orange County, California Probation Department, and ICE from January 1, 2018, through the present. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2021-ICFO-32883)
- On September 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Mehreen Rasheed**, a representative of *American Oversight* in Washington, D.C., 16 pages of records pertaining to final directives, guidance, or decision memoranda implementing policies or actions in response to any state or local governments failure to sufficiently cooperate with federal immigration enforcement agencies on immigration enforcement matters. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 7(E). (Case Number 2020-ICFO-30047)
- On September 22, 2022, U.S. Customs and Border Protection (CBP) released to **Marcia Robiou**, a representative of *PBS Frontline* in Boston, Massachusetts, 32 pages of records pertaining to correspondences between Aaron Hull, Chief of U.S. Border Patrol's El Paso Sector, and CBP officials, from December 1, 2018, to February 1, 2019. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-078526)
- On September 22, 2022, U.S. Customs and Border Protection (CBP) issued to **T. McElwee**, a private individual in Somerville, Massachusetts, a no records determination in response to their request seeking records pertaining to travel

and/or apprehension records related to the deceased President of the Republic of Chad, Idriss Deby, from December 1, 1990, through April 20, 2021. (Case Number CBP-2021-055095)

- On September 22, 2022, U.S. Customs and Border Protection (CBP) released to **T. McElwee**, a private independent in Somerville, Massachusetts, four pages of records pertaining to the travel history and secondary inspection records related to the deceased individual, Donald Henry Rumsfeld. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-080687)
- On September 22, 2022, U.S. Customs and Border Protection (CBP) released to **T. McElwee**, a private individual in Somerville, Massachusetts, six pages of records pertaining to the travel history and secondary inspection records related to the deceased individual, Marat Balagula. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-041368)
- On September 23, 2022, the Cybersecurity & Infrastructure Security Agency (CISA) released to **Eric Geller**, a representative of *Politico* in Arlington, Virginia, 47 pages of records pertaining to email communications and correspondences related to coordination calls held on November 8, 2016, as part of the federal government's Election Day cyber incident monitoring plan. Portions of this response are being withheld pursuant to FOIA Exemptions 3, 6, 7(C), and 7(E). (Case Number 2022-NPFO-00186)
- On September 23, 2022, the Cybersecurity & Infrastructure Security Agency released to **Aaron Schaffer**, a representative of *The Washington Post* in Washington D.C., 25 pages of records pertaining to three memorandums of understanding related to cyber protection. Portions of this response are being withheld pursuant to FOIA Exemptions 3 and 6. (Case Number 2022-NPFO-00047)
- On September 23, 2022, the Transportation Security Administration (TSA) released to **Zoi Galarraga**, a representative of *Forbes Advisor* in Jersey City, New Jersey, 1,728 pages of records pertaining to TSA claims filed between January 2012 and August 2022. Portions of the release are withheld pursuant to FOIA Exemption 6. (Case Number 2022-TSFO-00804)
- On September 23, 2022, the Transportation Security Administration (TSA) released to **Kif Leswing**, a representative with *CNBC* in Oakland, California, 40 pages of records pertaining to any Memorandum of Agreement (MOA) between TSA and Apple regarding the Apple Wallet ID program. Portions of the release are withheld pursuant to FOIA Exemptions 4, and 6. (Case Number 2021-TSFO-00782)
- On September 26, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative of **American Oversight** in Washington D.C., 134 pages of records pertaining to calendar entries and email communications for Executive Secretary Clark Barrow. Portions of the release are withheld pursuant to FOIA exemptions 5, 6, and 7(E). (Case Number 2020-HQFO-01534)
- On September 26, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Michael K. Tomenga**, a representative of **Neville Peterson LLP** in

Washington, D.C., 15 pages of records pertaining to Delegation Orders from the Department of Homeland (DHS) to the Commissioner, U.S. Customs and Border Protection (CBP), and from the Commissioner to the Office of Trade, Regulations and Rulings. Portions of this response are withheld pursuant to FOIA exemption 6. (Case Number 2022-HQFO-00323)

- On September 26, 2022, the U.S. Cybersecurity and Infrastructure Security Agency (CISA) released to **Malcolm Byrne**, a representative of **The George Washington University** in Washington, D.C., six pages of records pertaining to the Memorandum of Cooperation (MOC) between the Cybersecurity and Infrastructure Security Agency and the State Service of Special Communications and Information Protection of Ukraine (SSSCIP). Portions of this release will be withheld pursuant to FOIA Exemption 6. (Case Number 2022-NPFO-00182)
- On September 26, 2022, U.S. Customs and Border Protection (CBP) released to **Yeganeh Torbati**, a representative of **Reuters** in Washington, D.C., 48 pages of records pertaining to CBP Directive 2130-031, *Roles and Responsibilities of U.S. Customs and Border Protection Offices and Personnel Regarding Provision of Language Access*, and related memos, guidance, and statistics regarding her request for records pertaining to U.S. Border Patrol's language proficiency program. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-031271)
- On September 27, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Natasha Merle**, a representative of **NAACP Legal Defense and Educational Fund (LDF)** in New York, New York, 22 pages of records pertaining to the authorization of DHS personnel to respond, assist and support other law enforcement efforts related to protests and demonstrations occurring in Washington, D.C. between May 25, 2020, and July 17, 2020. Portions of this response are being withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number 2020-HQFO-01451)
- On September 27, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Michael Smith**, a representative of **Bloomberg News** in Miami, Florida, 6 pages of records pertaining to emails communications from the Center for Disease Control (CDC) Former Chief of Staff, Kyle McGowan, regarding the Federal Register notice of the no-sail order and its revisions containing the following terms: "register", "cruise", "ship", "no sail", "no sail order" or "NSO." Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-00716)
- On September 27, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Brent Munyon**, a representative of **Republication National Committee (RNC)** in Washington D.C., 115 pages of records pertaining to schedules maintained by or for Alejandro Mayorkas from March 1, 2022, through the present. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2022-HQFO-01120)

- On September 28, 2022, U.S. Customs and Border Protection (CBP) released to **Michael Evans**, a representative of *The National Security Archive* in Washington, D.C., 858 pages of records pertaining to the intelligence on the Zetas Mexican criminal group. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(A), 7(C), 7(D), 7(E), and 7(F). (Case number CBP-2022-007146)
- On September 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Brantley Drake**, a representative of **American Civil Liberties Union of Texas** in Houston, Texas, 79 pages of records pertaining to agreements entered into by the Department of Homeland Security (DHS), including sub-agencies U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS), with various state and local governments and agencies. Portions of this release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2021-HQFO-00444)
- On September 28, 2022, the Transportation Security Administration (TSA) released to **Erin Spaht**, a representative of *WUSA 9* in Washington, D.C., 35 pages of records pertaining to the most recent copy of the Interagency Service Support Agreement (ISSA) with the Department of Defense for the procurement of TSA-led canines. Portions of the release are withheld pursuant to FOIA Exemptions 5, and 6. (Case Number 2017-TSFO-00382)
- On September 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office will release to **Hannah Brown**, a representative of the **Revolving Door Project** in Washington D.C., records pertaining to SF-50 forms for Cass Sunstein from January 20, 2017, through March 31, 2022. Portions of this release were withheld according to FOIA Exemption 6. (Case Number HQ 2022-HQFO-00978)
- On September 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Rachel Levinson-Waldman**, a representative of the **Brennan Center for Justice** in Washington, D.C., 22 pages of records pertaining to the Night Fury project from January 1, 2018, through the date of the production of records. Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-00755)
- On September 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Nick Bauer**, a representative of **The Democratic National Committee** in Washington, D.C., two pages of records pertaining to emails between DHS, Senator Tom Cotton, and his staff using the domain @cotton.senate.gov from January 3, 2015, through November 30, 2021. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2022-HQFO-00346)
- On September 28, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., a one-page record pertaining to communications between DHS senior officials and the Biden-Harris transition team mentioning any of these terms: “Immigration”, “Policy”, “migrant protection protocols”, “ACA”, “Asylum

Cooperative Agreements”, “MPP”, “Border”, “Wall”, “Migrant”, “Immigrant”, “Illegal”, “Customs”, “Title 42”, “42”, “Remain in Mexico”, “CBP”, “USCIS”, and/or “ICE” from November 3, 2020, through January 1, 2021. Portions of this release were withheld pursuant to FOIA Exemption 5. (Case Number 2022-HQFO-00700)

- On September 28, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Micheal Ravnitzky**, a private individual in Silver Spring, Maryland, 2 pages of records pertaining to a memo from John M. Mitnick, General Counsel of DHS, dated April 19, 2019, entitled “Designation of an Order of Succession for Secretary”. Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-01311)
- On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Julie Small**, a representative with *KQED News* in San Francisco, California, three Excel workbooks and six pages of records pertaining to the list of newly contracted ICE detention facilities to include information on the capacity and ADP for each facility. Additionally, records pertaining to ICE detention facilities information, including name, owner, operator, capacity, ADP, per diem rate, inspection standard, last inspection date, and CY rating for FY 2018-2019. Portions of the release were withheld pursuant to FOIA Exemption 4. (Case Number 2019-ICFO-24455)
- On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative of *MuckRock News* in Somerville, Massachusetts, 15 pages of records pertaining to *Promoting Excellence in OPLA's Advocacy* and the *Supplemental Guidance on the Proper Handling of National Security and Human Rights Violator*. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2022-ICAP-00276)
- On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Ken Dilanian**, a representative of *NBC News Washington* in Bethesda, Maryland, 15 pages of records pertaining to ICE policy memoranda related to COVID-19, including agency rules on social distancing, mask-wearing, testing, quarantines, and working from home. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2021-ICFO-14386)
- On September 29, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Robert Baird**, a representative of *The New Yorker* in New York, New York, eight pages of records pertaining to communications between the Center for Disease Control (CDC) and White House Officials related to the novel coronavirus outbreak. Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2021-HQFO-00346)
- On September 29, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Taylor Amarel**, a representative of *MuckRock News* in Somerville, Massachusetts, 219 pages of records pertaining to the last 200 pages of emails sent from Kathleen L. Kraninger. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number 2019-HQFO-00254)

- On September 29, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Timothy Steller**, a representative of the *Arizona Daily Star* in Tucson, Arizona, 98 pages of records pertaining to communications between the Director of Multimedia, Brandon Montgomery, and representatives of Lucky 8 productions regarding the television program Border Live and the DHS contract to produce Border Live in 2018. Portions of this release will be withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number H2020-HQFO-00533)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924A filed by EB-5 Regional Centers for the fiscal year 2017. On September 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 214 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS), U.S Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), (21-cv-01171)*, plaintiff filed a FOIA request on March 23, 2020, seeking records pertaining to e-mail communications from USCIS Officials regarding Migrant Protection Protocols. On September 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 497 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-01171) (2021-HQLI-00032)*, plaintiff filed a complaint on January 31, 2019, seeking records pertaining to correspondences related to the implementation of Migrant Protection Protocols (MPP). On September 22, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 86 pages of records to the plaintiff. Of the 86 pages, 19 pages are being released in full, 12 pages are withheld in part, and 55 pages are withheld in full pursuant to FOIA exemptions 5, 6, and 7 (E)
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to "last-in-first-out" (LIFO) system under which USCIS gives priority to the most recently filed affirmative asylum applications when scheduling interviews - USCIS returned to LIFON (from FIFO) on January 29, 2018. This is a revision of 54 pages from the

original production 6. On September 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released to the plaintiff 54 pages.

- In the matter of the *Transgender Law Center v. U.S. Department of Homeland Security (DHS) (19-cv-03032)*, plaintiff filed a FOIA request on August 10, 2018, seeking records pertaining to Roxsana Hernandez, who died while in ICE custody. On September 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 21 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office, including all sub-offices, between January 1, 2017, and the present. On September 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 64 pages of records to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06239)*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On September 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 288 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) related to the death of Anthony Jones also known as Henry Missick. On September 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 132 pages of records to the plaintiff.
- In the matter of *Community Justice Exchange v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-02328)*, plaintiff filed a FOIA request on April 14, 2022, seeking records pertaining to Immigration & Customs Enforcement (ICE) use of B.I. Incorporated's SmartLINK Application for the Intensive Supervision Appearance Program (ISAP). On September 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 50 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) (21-cv-08440) (2022-HQLI-00004)*, plaintiff filed three FOIA requests in April and June 2021 seeking records pertaining to the removals of Cameroonian and other African migrants, from August 1, 2020, to January 19, 2021, and ICE deportations of Cameroonian and other African migrants, from August 1, 2020, to February 26, 2021. On September 23, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 36 pages of records to the plaintiff. Of the 36 pages, six pages are withheld in full, and 30 pages are partially withheld pursuant to FOIA exemptions 5, 6, and 7(C).

- In the matter of *Documented v. U.S. Department of Homeland Security (21-cv-03142) (2022-HQLI-00013)*, plaintiff filed a complaint on December 2, 2021, seeking records pertaining to the Secretary's Decision Papers issued or published on or after January 1, 2017, through the present. On September 23, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 41 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *Immigrant Advocates Response Collaborative v. U.S. Department of Homeland Security (DHS) (21-cv-01235)*, plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to the management of the CHIP, CHIS and BITMAP Programs. On September 26, 2022, U.S. Immigration and Customs Enforcement (ICE) released a 1-page record to the plaintiff.
- In the matter of *Project South v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00979)*, plaintiff filed a FOIA request on April 8, 2022, seeking records pertaining to ICE's standards of operation at the Stewart Detention Center (SDC), including its standards for medical care and COVID-19 protocol, cohort procedures, as well as ICE's records of contracts and communications regarding the provision of medical care for the immigrants detained at SDC. On September 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 510 pages of records to the plaintiff.
- In the matter of *Knight First v. U.S. Department of Homeland Security (DHS)(22-cv-03003) (2022-HQLI-00031)*, plaintiff filed a complaint on April 12, 2022, seeking records pertaining to the report ordered in Section 3 of the Biden Proclamation in which President Biden called for a review of the current use of social media identifiers in visa screening and vetting. On September 27, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 65 pages of records to the plaintiff.
- In the matter of *Center to Advance Security in America v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01656)*, plaintiff filed a FOIA request on June 9, 2022, seeking records pertaining to the production of the delayed 2021 ICA Annual Report. On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 124 pages of records to the plaintiff.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01501)*, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to written notices sent to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 8 excel spreadsheets to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)*, plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to the purchase and use of



Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,530 pages of records to the plaintiff.

- In the matter of ***Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)***, plaintiff filed three FOIA requests in April and June 2021 seeking records pertaining to the removals of Cameroonian and other African migrants, from August 1, 2020, to January 19, 2021, and ICE deportations of Cameroonian and other African migrants, from August 1, 2020, to February 26, 2021. On September 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 142 pages of records to the plaintiff.
- In the matter of ***Mike Howell & The Heritage Foundation v. U.S. Department of Homeland Security (DHS)(22-cv-01969) (2022-HQLI-00048)*** plaintiff filed a FOIA request on April 18, 2022, seeking records pertaining to communications between individuals in the Office of the Secretary and Office of Intelligence and Analysis regarding Babel, Babel X, Babel Street, and Panamerica from January 21, 2021, to March 31, 2022. On September 29, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 19 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5, 6, and 7(E).

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
September 29, 2022- October 5, 2022  
DHS Privacy Office  
October 11, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On September 30, 2022, **Jerry DiColo** a representative of *The Times-Picayune* in New Orleans, Louisiana, requested from the Federal Emergency Management Agency (FEMA) records pertaining to e-mail communications from a city of New Orleans domain (@nola.gov) from January 1, 2022, to September 30, 2022, that include any of the following terms: “JIRR”, “Joint Infrastructure Recovery Request”, “Joe Threat”, “Ramsey Green”, “Cantrell”, “LaToya Cantrell”, “Mayor Cantrell”, “Khalid Saleh”, “Josh Hartley”, “Gilbert Montano”.(Case Number 2022-FEFO-01000)
- On October 3, 2022, **Nicholas Wu**, a representative of **Politico** in Arlington County, Virginia, requested from the Federal Law Enforcement Training Center (FLETC) records pertaining to a criminal misconduct allegation incident in July 2022 involving two U.S. Capitol Police basic training students at the Glynco, Georgia, Training Delivery Point. (Case number FLETC FOIA 23-001)

**Late Requests:**

- On August 29, 2022, **Nate Jones** a representative of *The Washington Post* in Washington, D.C., requested from the U.S. Immigration and Customs Enforcement (ICE) records pertaining to data on detainers and detainees in DHS’s possession. (Case Number 2022-ICFO-30759)

**III. Freedom of Information Act Releases**

- On September 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **John Rooney**, a representative of **Federation for American Immigration Reform** in Washington, D.C., 447 pages of records pertaining to emails and attachments sent and received by ICE Senior Advisor Jon Feere, from July 1, 2018 through October 3, 2018, using the following terms: "STEM" "OPT", "illegality," and "national security". Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-26496)
- On September 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Janus Rose**, a representative of *MuckRock News* in Somerville, Massachusetts, 14 pages of records pertaining to the contract between ICE and Anacapa Micro Products, Inc.

prepared August 14, 2019 and signed August 15, 2019, for Github Software. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2020-ICFO-07874)

- On September 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Sacchetti**, a representative of *The Washington Post* in Washington, D.C., 140 pages of records and 6 Excel worksheets pertaining to the 2019 report “ICE Does Not Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to Meet Performance Standards”. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2019-ICFO-48441)
- On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Angelika Albaladejo**, a representative of *The Marshall Project* in Los Angeles, California, 710 pages of records pertaining to the “Authorized Restraint Devices Guidelines” published by the U.S. Immigration and Customs Enforcement (ICE) Office of Training and Tactical Programs (OTTP) dated September 18, 2017. Additionally, any evaluation materials, presentations, charts and comparisons used in the determination process to update the guidelines. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2019-ICFO-37211)
- On September 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Stephen Dinan**, a representative of *The Washington Times* in Washington, D.C., 144 pages of records pertaining to the schedule of Alejandro Mayorkas, Secretary of Homeland Security, from February 2, 2021 through June 15, 2021. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2021-HQFO-01102)
- On September 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Tucker Elliott**, a representative of *In These Times* in Houston, Texas, 27 pages records pertaining to email communications between Alejandro Mayorkas and Chris Magnus from September 21, 2021, through January 24, 2022. Portions of this release were withheld according to FOIA Exemptions 5, 6, 7 (C), and 7 (E). (Case Number 2022-HQFO-01027)
- On September 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Adolfo Flores**, a representative of *Buzzfeed News*, in Los Angeles, California, 95 pages of records pertaining to the communication history of Katie Waldman's between July 2, 2018, through January 10, 2019, mentioning the term "BuzzFeed". Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number 2019-HQFO-00272)
- On September 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Bill Allison**, a representative of *Bloomberg* in Washington, D.C., 36 pages of records pertaining to calendar entries for former Homeland Security Secretary John Kelly; Acting Secretary Elaine Duke; Chief of Staff Chad Wolf; and any political or SES appointees in the Office of the Secretary, including any calendars maintained on behalf of these individuals from January 21, 2017, through June 19, 2019. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2018-HQFO-00059)
- On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Tami Abdollah**, a representative of *The Associated Press* in Washington, D.C., 62 pages

of records pertaining to correspondence logs documenting letters and other communications between DHS and Senator Kamala Harris or her staff. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number 2019-ICFO-29851)

- On October 3, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Patrick Eddington**, a representative of the **Cato Institute** in Annandale, Virginia, 17 pages of records pertaining to the implementation of the National Strategy for Countering Domestic Terrorism from June 1, 2022, through January 23, 2022. Portions of this response are withheld pursuant to FOIA exemption 6. (Case Number 2022-HQFO-00499)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention at the center. On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 606 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the U.S.-Mexico border. On September 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 73 pages of records to the plaintiff.
- In the matter of *RAICES v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On September 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released a handheld video clip to the plaintiff.
- In the matter of *Innovation Law Lab v. U.S. Immigration and Customs Enforcement, (22-cv-00443)*, plaintiff filed a FOIA request on May 3, 2022, seeking records pertaining to the DHS Office of the Inspector General inspection of the Torrance County Detention Facility that took place from February 1, 2022 through February 3, 2022. On September 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,115 pages of records to the plaintiff.
- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)*, plaintiff filed a FOIA request on December 3,

2021, seeking records pertaining to DHS's policy on immigration detention practices and detention capacity. On September 30, 2022, the Department of Homeland Security (DHS) Privacy Office released the seventh supplemental response consisting of 237 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.

- In the matter of *Tau v. U.S. Department of Homeland Security (DHS) (21-cv-03329) (2022-HQLI-00018)*, plaintiff filed a complaint on December 21, 2021, seeking records pertaining to the use of commercially available data or metadata products, services, and databases. On September 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 293 pages of records to the plaintiff.
- In the matter of *Knight First Amendment Institute at Columbia University v. U.S. Department of Homeland Security (DHS) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to new vetting policies, and about the government's understanding of its authority to base immigration decisions on individuals' speech, beliefs, or associations. On September 30, 2022, Immigrations and Customs Enforcement (ICE) released 700 pages of records to plaintiff.
- In the matter of *Human Rights First v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00008)*, plaintiff filed a FOIA request on May 14, 2021, seeking records pertaining to parole decisions for arriving asylum seekers. On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 9 pages of records to the plaintiff.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to documents received, maintained, or created by ICE's New York and Newark Field Offices, or ICE Headquarters, related to the creation, implementation, or oversight of supervision programs from December 19, 2019 through the present. On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 792 pages of records to the plaintiff.
- In the matter of *American Center for Law and Justice v. U.S. Department of Homeland Security (DHS) (22-cv-00355)*, plaintiff filed a FOIA request on December 17, 2021, seeking records pertaining to boarder related human trafficking and exploitation of women and children, the cancelation or postponement of Operation Talon, and taking down U.S. Customs and Border Protection (CBP) press release on arrest of persons on the FBI's terrorism watch list. On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 529 pages of records to the plaintiff.
- In the matter of *EPIC v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00762)*, plaintiff filed a FOIA request on December 3, 2021, seeking records pertaining to ICE's communications and contracts with ShadowDragon and ICE's use of SocialNet; ICE's communications and contracts with Babel Street's software and use of location data. On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 242 pages of records to the plaintiff.

- In the matter of *Louise Trauma Center LLC v. U.S. Department of Homeland Security (DHS) (21- cv-02371)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to documents compiled and disseminated by the Director of International Affairs from January 1, 2020, through the present. On September 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,211 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-01925)*, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act. On September 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 15 pages of records to the plaintiff.
- In the matter of *American Immigration Council and International Refugee Assistance Project v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of Homeland Security (DHS) (22 -cv-05312)*, plaintiff filed a FOIA request on October 26, 2021, seeking records pertaining to the processing of humanitarian parole requests by USCIS with a specific focus on Afghan nationals since January 1, 2021. On September 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 140 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Commerce (DOC), U.S. Citizenship and Immigration Services (USCIS) (19-cv-00912)*, plaintiff filed a FOIA request on October 17, 2018, seeking records pertaining to the calendar entries for L Francis Cissna, Kaitlin Vogt Stoddard, Robert Law, and anyone who served as a White House Liaison. On September 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 409 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center LLC v. United States Department of Homeland Security (DHS) (21- cv-02371)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to documents compiled and disseminated by the Director of International Affairs from January 1, 2020, through the present. On October 3, 2022, U.S. Citizenship and Immigration Services (USCIS) released 2,586 pages of records and 11 media files to the plaintiff.
- In the matter of the *Heritage Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-01770) (2022-HQLI-00039)*, plaintiff filed a complaint on March 23, 2022, seeking records pertaining to the investigation of a CBP incident in or near the Rio Grande River, Del Rio, Texas, in September 2021. On October 3, 2022, the Department of Homeland Security (DHS) Privacy Office released 115 pages of records to the plaintiff.
- In the matter of *EFF v. U.S. Department of Homeland Security (DHS) (22-cv-01957)*, plaintiff filed a FOIA request on March 28, 2022, seeking records pertaining to the Visa Lifecycle Vetting Initiative (VLVI), an immigration screening and vetting program that evolved from former President Donald Trump’s “extreme vetting” proposal. On October 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 465 pages of records to the plaintiff.

- In the matter of the *IDP v. U.S. Immigration and Customs Enforcement (ICE) 19-cv-02520*, plaintiff filed a FOIA request on December 20, 2017, seeking records pertaining to civil immigration arrests by ICE agents that occur within, on the property of, or within two city blocks of New York State courthouses. On October 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 465 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to data regarding administrative arrest warrants and administrative subpoenas. On October 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 33 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (22-cv-01917)*, plaintiff filed a FOIA request on July 30, 2020, seeking records pertaining to quarterly training reports of Arlington asylum office training activities from January 1, 2020, through the present. On October 5, 2022, U.S. Citizenship and Immigration Services (USCIS) released 8 pages of records to the plaintiff.
- In the matter of *Open Society Justice Initiative v. U.S. Department of Homeland Security (DHS) (20-cv-00706) (2021-HQLI-00028)*, plaintiff filed a FOIA request on August 13, 2020, seeking records pertaining to the DHS's denaturalization efforts in the United States. On October 5, 2022, the Department of Homeland Security (DHS) Privacy Office released 7 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemption 6.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)*, plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On October 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released 401 pages of records to the plaintiff.



### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
October 6, 2022- October 12, 2022  
DHS Privacy Office  
October 17, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On October 7, 2022, **Jerod MacDonald-Evoy**, a representative of *Arizona Mirror* in Phoenix, Arizona, requested from the Transportation Security Administration Security (TSA) records pertaining to investigation reports, arrest or detainment, search records and passenger manifests related to the South Korean Air flight arriving in Phoenix, Arizona on November 5, 2020, and leaving for Seattle, Washington, on November 7, 2020, (Case Number 2023-TSFO-00015)
- On October 8, 2022, **Ian Mason**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to declassified maps, videos, images, or lists pertaining to possible nuclear targets in the United States during the 1950s to 1990s located in or near Nebraska. (Case Number 2023-FEFO-00009)
- On October 10, 2022, **Peter Booth**, a representative of **American Bridge** in Coraopolis, Pennsylvania, requested from the Federal Emergency Management Agency (FEMA) records pertaining to email correspondences between Senator Rick Scott’s Office and FEMA using the following terms: "Hurricane Ian", "Tropical Storm Ian", "Hurricane", "Storm", "Tropical Depression", and "Tropical Depression Nine." (Case Number 2023-FEFO-00012)
- On October 11, 2022, **Aaron Lackowski**, a private individual in Burlington, Vermont, requested from U.S. Customs and Border Protection (CBP) records pertaining to contracts awarded to Anduril Industries, including Performance Work Statement(s), Limited Source Justification or Justification for Other than Full and Open Competition, as well as any other modifications. (Case Number: not available)
- On October 12, 2022, **Kelly Avellino**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the most recent grant applications submitted by the Richmond Fire Department, for the FEMA Staffing for Adequate Fire and Emergency Response (SAFER) grant. (Case Number 2023-FEFO-00019)

### Late Requests:

- Nothing significant to report.

### III. Freedom of Information Act Releases

- On October 6, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Aaron Schaffer**, a representative of *The Washington Post* in Washington D.C., 17 pages of records pertaining to procurement documents related to an awarded government contract. Portions of this release were withheld according to FOIA Exemptions 4, 6, and 7(E). (Case Number 2022-HQFO-01421)
- On October 6, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Aaron Schaffer**, a representative of *The Washington Post* in Washington D.C., 15 pages of records pertaining to procurement documents related to an awarded government contract. Portions of this release are withheld pursuant to FOIA exemptions 4, 6, and 7. (Case Number 2022-HQFO-01420)
- On October 6, 2022, the Transportation Security Administration (TSA) released to **Mikael-Thalen**, a representative of *The Daily Dot* in Austin, Texas, 101 pages of records pertaining to incidents involving TSA agents being bitten while on the job by either animal or human travelers from 2020 through the present. Portions of the release are withheld pursuant to FOIA Exemptions 3, and 6. (Case Number 2021-TSFO-00577)
- On October 7, 2022, the U.S. Customs and Border Protection (CBP) released to **Lauren Etter**, a representative of *Bloomberg News* in Los Angeles, California, 29 pages of records pertaining to correspondences between CBP HQ personnel and the Mediterranean Shipping Company (MSC) between January 1, 2018, and April 21, 2022. (Case number CBP-2022-069152)
- On October 11, 2022, U.S. Customs and Border Protection (CBP) issued to **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, a no records determination in response to his request for records pertaining to CBP internal assessment, study, report, or evaluation of the "family separation" situation and/or "family separation policy" from January 1, 2019, through the present. (Case Number CBP-2022-133751)
- On October 11, 2022, U.S. Customs and Border Protection (CBP) issued to **T. McElwee**, a private individual in Somerville, Massachusetts, nine pages of records pertaining to the travel history and secondary inspection records related to James Joseph Del Negro II. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2022-042067)
- On October 13, 2022, the Cybersecurity & Infrastructure Security Agency (CISA) released to **Chris Nelson**, a representative of **Judicial Watch** in Washington, D.C., 14 pages of records pertaining to email communications between the employees of the Rapid-Response Election Cyber-security Unit (RESCU), Colorado Secretary of State Nathan Blumenthal and Tyler Lycan, using the following terms: "misinformation", "disinformation", "social media", "ransomware", "Trump", "Facebook", and "foreign influence" from June 1, 2020, to the present. Portions of this response are being withheld pursuant to FOIA Exemptions 5 and 6. (Case number 2022-NPFO-00157)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *America First Legal Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-01896) (2022-HQLI-00044)*, plaintiff filed a FOIA request on July 9, 2021, seeking records pertaining to employees who entered a position at the agency as a Political Appointee since January 20, 2021, including waivers, authorizations, ethics agreements, recusal determinations, and SF-50 forms. On October 7, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 301 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemption 6.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (19-cv-00774) (2019-HQLI-00008)*, plaintiff filed a complaint on March 20, 2019, seeking records pertaining to communications with or about Stephen Miller using messaging platforms such as Slack, GChat, Google Hangouts, including email communications and telephone records. On October 6, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 287 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)* plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On October 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released 401 pages of records to the plaintiff.
- In the matter of *ACLU Michigan v. U.S. Department of Homeland Security (DHS) (19-cv-03489)*, plaintiff filed a FOIA request on March 9, 2019, seeking records pertaining to US Citizens and lawfully present persons detained or deported by ICE and ICE's policies and procedures related to people with mental health issues or disabilities. On October 7, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 401 pages of records.
- In the matter of *Protect the Public's Trust v. the U.S. Department of Homeland Security (DHS) (22-cv-00138) (2022-HQLI-00022)*, plaintiff filed a complaint on January 24, 2022, seeking records pertaining to political appointee communications between DHS officials, federal agencies, the White House, state officials, and other organizations related to COVID-19 policies and critical race theory educational curriculums. On October 7, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 32 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
October 13, 2022- October 19, 2022  
DHS Privacy Office  
October 24, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On October 14, 2022, **Creede Newton**, a representative of the **Southern Poverty Law Center** in Montgomery, Alabama requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to the training of law enforcement in the state of California, including documents related to DHS's usage of "Radicalization," a training film produced by California POST to educate law enforcement on Islamic radicalization inside prisons and jails. (Case number 2023-FLETC-FO-00008)
- On October 14, 2022, **Charlotte Cuthbertson**, a representative of *The Epoch Times* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to statistics of migrant deaths at the southwest border for FY2021 and FY2022. (Case number CBP-2023-000883)
- On October 14, 2022, **Charlotte Cuthbertson**, a representative of *The Epoch Times* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the statistics of nationwide apprehensions for FY2021 and FY2022. (Case number CBP-2023-000884)
- On October 14, 2022, **Lianna Hubbard**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the after-action report for the 2015 tabletop emergency drill of hurricane Kate hitting Florida. (Case Number 2023-FEFO-00031)
- On October 14, 2022, **Charlotte Cuthbertson**, a representative of *The Epoch Times* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the statistics of reported "got-a-ways" by border patrol agents for FY2021 and FY2022. (Case number CBP-2023-000885)
- On October 14, 2022, **Matt Hickman**, a representative of *Seattle University* in Seattle, Washington, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of law enforcement officers (LEO) who resigned or retired while under active investigation for serious misconduct; the number of LEO having sustained complaints for serious misconduct; the number of LEO having disciplinary action for serious misconduct; the number of LEO terminated; the number of LEO having any civil judgments related to official duties; the number of LEO convicted of a criminal offense during their employment in FY21. (Case number CBP-2023-000919)

- On October 17, 2022, **David Mora**, a representative of *VICE News Tonight* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to H2A Employer data for FY2015 through FY2022. (Case Number COW 2022-005177)
- On October 17, 2022, **Kelsey Oliver**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to communications sent by FEMA mentioning any of the following terms: “hotel”, “hotels”, “motel”, "motels", “unconditional extension”, or "Hurricane". (Case Number 2023-FEFO-00038)
- On October 18, 2022, **Aishah Hasnie**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to a breakdown of how FEMA funding was used from FY2020 to FY2022 in response to natural disasters and how much was spent on assisting with migrant crossing at the southern border and those moved to the interior of the country. (Case Number 2023-FEFO-00043)
- On October 18, 2022, **Alec Ferretti**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications to or from Tammy Meckley from January 1, 2020, through the present, which contains the term "Reclaim the Records". (Case Number COW 2022-005182)
- On October 19, 2022, **Scott MacFarlane**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to correspondences between the FEMA Administrator and the mayor of Jackson, Mississippi between August 1, 2022, through the present; correspondences between the FEMA Region 4 director and the mayor of Jackson, Mississippi between August 1, 2022, through the present. (Case Number 2023-FEFO-00050)

### **Late Requests:**

- On July 1, 2022, **Jennifer Pasquarella**, a representative of the **ACLU of Southern California** in Los Angeles, California, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of Jimmy Narvaez Rivadeneira. (Case Number NRC 2022-158443)
- On August 16, 2022, **Timur Kerefov**, a private individual in Hallandale Beach, Florida, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to approval notices of P-1A classifications. (Case Number NRC 2022-202154)
- On October 3, 2022, **David Bixenspan**, a representative of *MEL Magazine* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of the late Japanese professional wrestler and politician Kanji Inoki. (Case Number COW 2022-004897)
- On October 10, 2022, **Adam Echelman** a representative of **Modesto Bee** in Modesto, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the transfers of individuals from law enforcement agencies in Stanislaus County to immigration authorities. (Case Number 2023-ICFO-01127)

- On October 12, 2022, **Reed Rubinstein**, a representative of **America First Legal Foundation** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to political leadership and staffing within USCIS from January 20, 2021, through the present. (Case Number COW 2022-005072)
- On October 12, 2022, **Juliet Linderman**, a representative of the *Associated Press* in Baltimore, Maryland, requested from U.S. Customs and Border Protection (CBP) any records and correspondences involving U.S. Marine Corps attorney Joshua Mast relating to the arrivals of Afghanistan refugees at Dulles International Airport between August 5, 2021, to November 30, 2021. (Case number CBP-FO-2023-000269)
- On October 12, 2022, **Kyle Joslin**, a representative of *CNN* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to dash camera videos involving Operation Rolling Thunder in Spartanburg, South Carolina. (Case number CBP-2023-000210)

### III. Freedom of Information Act Releases

- On October 13, 2022, U.S. Customs and Border Protection (CBP) released to **Nick Bauer**, a private individual in Washington, D.C., a no-records determination in response to his request for records pertaining to email communications between CBP officials and Representative Will Hurd or any member of Hurd's staff from January 3, 2015, through January 3, 2021. (Case number CBP-2022-086009)
- On October 13, 2022, U.S. Customs and Border Protection (CBP) released to **Alex J. Rouhandeh**, a representative of *Newsweek* in Washington, D.C., a one-page records pertaining to three seizures from July 17-31, 2019, and five seizures from September 9-17, 2019, of counterfeit Cartier Jewelry. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, and 7(C). (Case number CBP-2022-120142)
- On October 17, 2022, U.S. Customs and Border Protection (CBP) released to **Sean Dunagan**, a representative of *Judicial Watch* in Salt Lake City, Utah, 20 pages of records pertaining to intelligence assessments related to the use of unmanned aircraft systems by criminal organizations operating along the Southern border. Portions of the release were withheld pursuant to FOIA Exemption 7(E). (Case Number CBP-2022-064452)
- On October 17, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Chris Nelson**, a representative of *Judicial Watch* in Washington, D.C., 48 pages of records pertaining to email communications and attachments from the email address belonging to the DHS Science and Technology Directorate Opioid Detection Program from January 20, 2020, to April 11, 2022. Portions of this response are withheld pursuant to FOIA exemptions 4, 5, 6, and 7(C). (Case Number 2022-HQFO-00866)
- On October 17, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Ginger McCall**, a representative of *Demand Progress* in Arlington, Virginia, 47 pages of records pertaining to written guidelines for research



activities listed in a published PIA which states “as part of each research activity, DA-TC works with the S&T Privacy Office and the S&T Office of General Counsel, as well as other compliance functions, to establish guidelines for the collection, analysis, and disposition of data”. Portions of this response are withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number 2021-HQFO-01436)

- On October 17, 2022, U.S. Customs and Border Protection (CBP) issued to **Kyle Joslin**, a representative of *CNN* in Washington, D.C., a no-records response regarding his request for records pertaining to dash camera videos involving Operation Rolling Thunder in Spartanburg, South Carolina. (Case number CBP 2023-000210)
- On October 18, 2022, U.S. Customs and Border Protection (CBP) released to **Julie Wernau**, a representative of *The Wall Street Journal* in New York, New York, 26 pages of records pertaining to “The Narcotics Interdiction Guide Handbook” and the “Canine Enforcement Program Directive.” Portions of the release were withheld pursuant to FOIA Exemption 7(E). (Case Number CBP-2022-043515)
- On October 18, 2022, U.S. Customs and Border Protection (CBP) released to **Charlotte Cuthbertson**, a representative of *The Epoch Times Magazine* in New York, New York, twelve pages of records pertaining to the number of retirements, resignations, new applicants, and new agents employed from FY2012 to FY 2021. (Case number CBP-2021-102686)
- On October 18, 2022, U.S. Customs and Border Protection (CBP) issued to **David Henderson**, a representative of *Space Coast Rocket* in Lewisberry, Pennsylvania, a full denial in response to his request for records pertaining to the complaint that led to the Withhold Release Order of Smart Glove. All records were withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-131277)
- On October 18, 2022, U.S. Customs and Border Protection (CBP) issued to **David Henderson**, a representative of *Space Coast Rocket* in Lewisberry, Pennsylvania, a full denial in response to his request for records pertaining to the complaint that led to the Withhold Release Order of Smart Glove. All records were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case number CBP-2022-131289)
- On October 18, 2022, U.S. Customs and Border Protection (CBP) issued to **David Henderson**, a representative of *Space Coast Rocket* in Lewisberry, Pennsylvania, a full denial in response to his request for records pertaining to the complaint that led to the Withhold Release Order of Smart Glove. All records were withheld pursuant to FOIA exemption 7(A). (Case number CBP-2022-131332)
- On October 19, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Lia Ernst**, a representative of the **American Civil Liberties Union Foundation of Vermont** in Montpelier, Vermont, 5 pages of records pertaining to Jose Cruz Balcazar Ventura. Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2019-HQFO-00650)
- On October 19, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, a private individual in Silver Spring,

Maryland, a one-page record pertaining to emails sent to the Department of Homeland Security Office of Public Affairs (OPA) that include the term “UAP” from May 1, 2021, through June 25, 2021. (Case Number 2021-HQFO-01137)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *Catholic Legal Immigration Network, Inc v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to the Temporary Protected Status from January 20, 2017, through August 12, 2019. On October 13, 2022, U.S. Citizenship and Immigration Services (USCIS) released 463 pages of records to the plaintiff.
- In the matter of *OCAD, IDP, and CCR v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE’s decision to expend resources to establish “Citizens Academies”. On October 13, 2022, U.S. Immigration and Customs Enforcement (ICE) released 261 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to talking points prepared for Secretary Nielsen regarding Migrant Protection Protocols (MPP) and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana, and the expansion of the protocol to additional ports of entry. On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 235 pages of records to the plaintiff.
- In the matter of *Protect the Public Trust v. U.S. Department of Homeland Security (DHS) (22-cv-01489) (2022-HQLI-00037)* plaintiff filed a FOIA request on June 2, 2021, seeking records pertaining to waivers, impartiality determinations, or any other guidance issued to political appointees of the Biden Administration exempting them from any part of their obligations. On October 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 52 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-02168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to written reports referred to in a memorandum from Tae

D. Johnson to “All ICE Employees”. On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.

- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) pursuant to the Johnson memorandum, which set forth guidance implementing the Pekoske memorandum. On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)*, plaintiff filed a complaint on January 11, 2018, seeking records pertaining to emails sent or received by USCIS Ombudsman Julie Kirchner; official communications sent or received by Julie Kirchner using any non-DHS email account and notes prepared by or for Julie Kirchner. On October 14, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 252 pages of records to the plaintiff.
- In the matter of *Human Rights Defense Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02291)* plaintiff filed a FOIA request on August 30, 2021, seeking records pertaining to contracts active from January 1, 2010, between ICE and eleven companies which owned, operated, or managed detention facilities. On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 436 pages of records to the plaintiff.
- In the matter of *HIRC v. U.S. Department of Homeland Security (DHS) (21-cv-12030)* plaintiff filed a complaint on December 13, 2021, seeking records pertaining to communications between U.S. Immigration and Customs Enforcement (ICE), Office of Inspector General (OIG) and Office for Civil Rights and Liberties (CRCL) related to ICE detainees placed into segregated housing. On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 221 pages of records to the plaintiff.
- In the matter of *Community Justice Exchange v. U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) (22-cv-02328)*, plaintiff filed a FOIA request on April 14, 2022, seeking records pertaining to the use of B.I. Incorporated’s SmartLINK Application for the Intensive Supervision Appearance Program (ISAP). On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 8 pages of records to the plaintiff.
- In the matter of *Center to Advance Security in America v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01656)*, plaintiff filed a FOIA request on January 11, 2022, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas. On October 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 229 pages of records to the plaintiff.

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS), U.S Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS) (21-cv-01171)*, plaintiff filed a FOIA request on March 23, 2020, seeking records pertaining to e-mail communications from USCIS Officials regarding Migrant Protection Protocols. On October 14, 2022, U.S. Citizenship and Immigration Services (USCIS) released 500 pages of records to the plaintiff.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On October 14, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,000 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Justice (DOJ) (20-cv-02153)*, plaintiff filed a complaint on October 8, 2020, seeking records pertaining to protest response directives and guidance drafted, revised, finalized, or distributed from May 25, 2020, through October 20, 2020. On October 14, 2022, U.S. Customs and Border Protection (CBP) issued the seventh interim release, consisting of 264 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union Foundation v. U.S. Customs and Border Protection (CBP) (21-cv-10430)*, plaintiff filed a FOIA request on August 17, 2020, under case number *2020-HQFO-01588*, seeking records related to the use of aerial surveillance associated with Civil Unrest surrounding the death of George Floyd. Plaintiff filed suit on December 7, 2021, claiming declaratory and injunctive relief. On October 14, 2022, U.S. Customs and Border Protection (CBP) released its third interim response consisting of 149 pages of records and 1 public video link to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS) (18-cv-01390)* plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to policies, procedures, and practices used by CBP personnel to process noncitizens who are seeking asylum and/or express a fear of returning to their home countries since January 2016. Plaintiff filed suit on June 14, 2018, claiming injunctive relief. On October 14, 2022, U.S. Customs and Border Protection (CBP) will issue its final response consisting of 1,569 pages of records to the plaintiff.
- In the matter of *Reed Smith LLP v. U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP) (21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to CBP's transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On October 17, 2022, U.S. Customs and

Border Protection (CBP) released its tenth interim response, consisting of 543 pages of records to the plaintiff.

- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly operational summary Safety Reports filed by contractors working with Ice Air Operations (IAO) from 2003 to the present and all records related to alleged misconduct by IAO employees between 2003 and the present. On October 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 457 pages of records to the plaintiff.
- In the matter of *Ammad Omar; National Public Radio, Inc. v. U.S. Department of Homeland Security (DHS) (21-cv-09928)*, plaintiff filed a FOIA request on December 27, 2021, seeking records pertaining to additional detention space; communications related to the opening of detention facilities at former prisons; and communications related to the contracting process for detention center operators previously found to be deficient. On October 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 624 pages of records to the plaintiff.
- In the matter of *Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and Envision Freedom Fund v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-02885)*, plaintiff filed a FOIA request on January 18, 2022, seeking records pertaining to policies, guidelines, or procedures relating to immigration bonds. On October 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 386 pages of records to the plaintiff.
- In the matter of *ACLU of Maine Foundation v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-00422)*, plaintiff filed a FOIA request on August 5, 2019, seeking records pertaining to approvals, referrals, and denials of affirmative asylum cases arising out of the Newark Asylum Office and Boston Asylum Sub-Office. On October 19, 2022, U.S. Citizenship and Immigration Services (USCIS) released 43 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. U.S. Department of Homeland Security (DHS) (21-cv-02371)*, plaintiff filed a FOIA request on May 14, 2020, seeking records pertaining to instructions from Headquarters regarding training for new asylum officers at the Arlington, Virginia, asylum office from January 1, 2020, through the present. On October 19, 2022, U.S. Citizenship and Immigration Services (USCIS) released 147 pages of records to the plaintiff.
- In the matter of *Protect the Public's Trust v. U.S. Department of Homeland Security (DHS) (22-cv-00138) (2022-HQLI-00022)* plaintiff filed a FOIA request on October 7, 2021, seeking records pertaining to political appointee communications between DHS officials, federal agencies, the White House, state officials, and other organizations related to COVID-19 policies and critical race theory educational curriculums from August 1, 2021, through the present. On October 19, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 15 pages of records to the plaintiff.

- In the matter of *Louise Trauma Center v. U.S. Department of Homeland Security (DHS) (20-cv-02371)*, plaintiff filed a FOIA request on May 17, 2020, seeking records pertaining to the training and retraining of asylum officers at the Bethpage, New York asylum office from January 1, 2020, through the present. On October 19, 2022, U.S. Citizenship and Immigration Services (USCIS) released 270 pages of records to the plaintiff.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) (19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On October 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 451 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye and NBC Universal Media v. U.S. Department of Homeland Security (DHS) (20-cv-00280)*, plaintiff filed a FOIA request on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On October 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 451 pages of records to the plaintiff.
- In the matter of *Justice Action Center v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to Federal Governments Policies and Instructions regarding the re-calendar of DACA recipients for removal proceedings. On October 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 30 pages of records to the plaintiff.
- In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00017)*, plaintiff filed a FOIA request on January 7, 2022, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants. On October 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 19 pages of records and 1 excel spreadsheet to the plaintiff.
- In the matter of *Louise Trauma Center v. U.S. Department of Homeland Security (DHS) (22-cv-01917)*, plaintiff filed a FOIA request on August 16, 2020, seeking records pertaining to Asylum Officer Performance Plans and Appraisals from January 1, 2020, through the present. On October 19, 2022, U.S. Citizenship and Immigration Services (USCIS) released 69 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
October 20, 2022- October 26, 2022  
DHS Privacy Office  
October 31, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On October 18, 2022, **Zack Newman** a representative of *9NEWS* in Denver, Colorado, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the death of an individual while in ICE custody. (Case Number 2023-ICFO-01471)
- On October 20, 2022, **Anna Matson**, a private individual requested from the Federal Emergency Management Agency (FEMA) records pertaining to the dataset of all resolved FEMA Wildlife Public Assistance applications from all areas affected by the Holiday Farm Fire of 2020 in Oregon. (Case Number 2023-FEFO-00055)
- On October 21, 2022, **Mike Howell**, a representative of the *Daily Signal* in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to the September 19, 2021, incident which included allegations of “whipping” by Customs and Border Protection agents. (Case Number 2023-IGFO-00027)
- On October 21, 2022, **Jennifer Abelson**, a representative of *The Washington Post* in Washington, D.C., requested from the U.S. Customs and Border Protection (CBP) records pertaining to a seizure on March 29, 2021, from the Port of Champlain New York including documents such as the election of proceedings and final disposition. (Case Number CBP-FO-2023-002951)
- On October 25, 2022, **Joseph Hart**, a representative of the **Florida Office of the Attorney General** in Tallahassee, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to the September 2022 GAO Report entitled “Southwest Border: Challenges and Efforts Implementing New Processes for Noncitizen Families”. (Case Number CBP-FO-2023-003931)
- On October 25, 2022, **Mark Walter**, a representative of *The New York Times* in Washington, D.C., requested from the Transportation Security Administration Security (TSA) records pertaining to the agency’s FOIA log from 2020 through the present. (Case Number 2023-TSFO-00065)
- On October 25, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., requested from the Transportation Security Administration



Security (TSA) records pertaining to the report referenced in the TSA limited source justification notice # JA-2022-02-0791. (Case Number 2023-TSFO-00068)

- On October 25, 2022, **Alec Ferretti**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications, sent by or to Tammy Meckley from January 1, 2020, through the present, which contains the word “Genealogy”. (Case Number COW 2022-005371)
- On October 25, 2022, **Julie Holstein**, a representative of *CBS 60 Minutes* in New York, New York, requested from the Office of Inspector General (OIG) records pertaining to photographs taken on unannounced inspections of CBP facilities in March 2022 (Case Number 2023-IGFO-00033)
- On October 26, 2022, **Martha Mendoza**, a representative of the *Associated Press* in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to incident reports, transcripts, and correspondences mentioning a reunited, missing, taken, or kidnapped toddler at Fort Pickett during Operation Allies Welcome during the month of September 2021. (Case Number 2023-IGFO-00039)
- On October 26, 2022, **Sarah Melotte**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the Individuals and Households Program - Valid Registrations data for Hurricane Hugo in 1989; including the total amount awarded for Housing assistance under IHP. (Case Number 2023-FEFO-00071)
- On October 26, 2022, **Katie Cimini**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the addresses and payment amounts of individuals who received assistance in Florida due to damages caused by Hurricane Ian. (Case Number 2023-FEFO-00073)
- On October 26, 2022, **Katie Cimini**, a private individual, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the payment amount that has been paid to Lee and Collier County governments as a result of damage from Hurricane Ian between Sept. 28, 2022, through the present. (Case Number 2023-FEFO-00072)

**Late Requests:**

- On September 9, 2022, **Alec Ferretti**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A-File of the late British-Australian singer, actress, and activist Olivia Newton-John. (Case Number COW 2022-004724)
- On September 17, 2022, **David Bixenspan**, a representative of *MEL Magazine* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A-File of the late professional wrestler Seiji Goto, better known as Tarzan Goto. (Case Number COW 2022-004618)
- On September 19, 2022, **David Bixenspan**, a representative of *MEL Magazine* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services

(USCIS) the A-File of the late professional wrestler Jose Robert Bedard, better known as Rene Goulet and Jacques Goulet. (Case Number COW 2022-004622)

- On September 26, 2022, **Cassandra Jaramillo** a representative of *ProPublica* in Dallas, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to agreements and memorandums of understanding between USCIS and any state agency within Texas, any secretary of state office within the United States and any state office of the Attorney General within the United States since 2005. (Case Number COW 2022-004763)
- On October 13, 2022, **Ruben Fisher**, a private individual in Las Vegas, Nevada, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A-File of the late Konerak Sinthasomphone, the 14-year-old Laotian victim of Jeffrey Dahmer. (Case Number COW 2022-005289)
- On October 19, 2022, **David Bier**, a representative of the *CATO Institute* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to statistics regarding Border Patrol individual encounters or apprehensions from October 1, 1999, through September 30, 2022. (Case Number CBP-FO-2023-002231)

### III. Freedom of Information Act Releases

- On October 18, 2022, U.S. Customs and Border Protection (CBP) issued to **Sam Biddle**, a representative of *The Intercept* in Los Angeles, California, a no records determination in response to his request for records pertaining to video footage or visual data captured by the Tethered Aerostat Radar System located in Rio Grande City on April 9, 2022. (Case Number CBP-2022-108280)
- On October 20, 2022, U.S. Customs and Border Protection (CBP) issued to **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, a no records response in regard to her request for records pertaining to derogatory information, verified arrest incidents, protection orders and Border Patrol employees detected by CBP's Office of Professional Responsibility's "Continuous Evaluation Program". (Case number CBP-2022-033957)
- On October 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Forsythe**, a representative of *The New York Times* in New York, New York, 65 pages of records pertaining to the Request for Proposal (RFP) made by ICE for the contract awarded to McKinsey & Co. in 2016. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number 2019-ICAP-00474)
- On October 21, 2022, U.S. Customs and Border Protection (CBP) released to **Wills Robinson**, a representative of *DailyMail.com* in New York, New York, 552 pages of records pertaining to investigations of allegations of misconduct made against Customs and Border Protection employees since January 2020. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(A), 7(C), and 7(E) (Case number CBP-2021-054613)

- On October 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Hannah Rappleye**, a representative of *NBC News* in New York, New York, 60 pages of records pertaining to documents maintained by ICE regarding ICE Health Service Corps internal investigations and/or “Post Incident Audits” into the 2015 mass vaccination error incident at the South Texas Family Residential Center in Dilley, Texas. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number 2019-ICFO-45960)
- On October 27, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Austin Nolen** a representative of **The Declaration** in Philadelphia, Pennsylvania, 16 pages of records pertaining to several Policy Indexes including the Policy Index “Delegation of Authority to the Directors, Detention and Removal and Investigations, and to Field Office Directors, Special Agents in Charge and Certain Other Officers of the Bureau of Immigration and Customs Enforcement”. Portions of this response are withheld pursuant to FOIA exemptions 6. (Case Number 2022-HQFO-01647)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to policies and guidance concerning the detention of a transgender or intersex person to include during the COVID-19 pandemic and training manuals, guides, memoranda, and other documents used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention. On October 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 510 pages of records to the plaintiff.
- In the matter of *Nafkha v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01102)*, plaintiff filed a FOIA request on April 21, 2022, seeking records pertaining to the video of January 22, 2022, assault by Office (b)(6),(b)(7)(C) against (b)(6) (b)(6),(b)(7)(C) in the Krome North recreation yard. On October 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released a 1-hour video clip to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE)(20-cv-02725)*, plaintiff filed FOIA requests on August 6, 2018, seeking records pertaining to contracts, memorandums of understanding, e-mail, and all other items associated with the submission; acceptance, and review of detainee health with Kenosha County, Wisconsin, for the health care provided to people held under

immigration laws. On October 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 649 pages of records to the plaintiff.

- In the matter of *National Press Club Journalism Institute v. U.S. Immigration and Customs Enforcement (ICE), United States Citizenship and Immigration Services (USCIS)(18-cv-00932)*, plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to the A-File of Mexican journalist Emilio Gutierrez or son, Oscar Gutierrez Soto, ICE case referral number 2018-ICFO-14825. On October 21, 2022, United States Citizenship and Immigration Services (USCIS) released 48 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)(20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) related to the death of Anthony Jones also known as Henry Missick. On October 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 277 pages of records to the plaintiff.
- In the matter of the *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)* plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to HSI Special Agent Handbooks, memoranda, or training materials issued from January 21, 2017, through the present. On October 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 89 pages of records to the plaintiff.
- In the matter of *The Center for Investigative Reporting v. U.S. Department of Homeland Security (DHS) (21-cv-09633)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On October 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 308 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924As filed by EB-5 Regional Centers for the fiscal year 2017. On October 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released 210 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-01171) (2021-HQLI-00032)*, plaintiff filed a complaint on January 31, 2019, seeking records pertaining to correspondences related to the implementation of Migrant Protection Protocols (MPP). On October 25, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 12 pages of records to the plaintiff. Of the 12 pages, 7 pages were released in full, and 5 pages were withheld in full pursuant to FOIA exemption 5.
- In the matter of *American Civil Liberties Union of Pennsylvania v. U.S. Immigration and Customs Enforcement (ICE)(20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office,

including all sub-offices, between January 1, 2017, through the present. On October 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 130 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
October 27, 2022- November 2, 2022  
DHS Privacy Office  
November 7, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On October 27, 2022, **Cynthia Manning**, a private individual in Elmira, New York, requested from the United States Coast Guard (USCG) records pertaining to investigation reports for Captain John Christopher Merrone. (Case Number 2023-CGFO-00019)
- On October 27, 2022, **Meredith Dixon**, a private individual in Berkley, California, requested from the United States Coast Guard (USCG) records pertaining to separation codes, military records correction applications, and procedures for reviewing correction applications. (Case Number 2023-CGFO-00063)
- On October 27, 2022, **Jessica Albert**, a private individual in Cheverly, Maryland, requested from the United States Coast Guard (USCG) records pertaining to investigative files by the Coast Guard Investigative Service (CGIS) related to a ruptured pipeline and the resulting oil spill in the Beta Reserve oil field located in the Pacific Ocean off the coast of Orange County, California. (Case Number USCG 2023-CGFO-00057)
- On October 27, 2022, **Annabelle Smith**, a private individual in Rockville, Maryland, requested from the United States Coast Guard (USCG) records pertaining to pipeline location surveys and the history of leaks related to the San Pedro Bay Pipeline in the Beta oil field located in the Pacific Ocean. (Case Number 2023-CGFO-00115)
- On October 28, 2022, **Elizabeth Cenci**, a representative of **Legros Buchanan & Paul, P.S.** in Seattle, Washington, requested from the U.S. Coast Guard (USCG) records pertaining to the grounding of the Multipurpose Craft 4 (MPC-4), owned by the U.S. Navy which occurred near Puolo Point, Kauai, Hawaii. (Case Number 2023-CGFO-00162)
- On October 28, 2022, **David Gudbrandsen**, a private individual in Preston, Connecticut, requested from the United States Coast Guard (USCG) records provided under FOIA case number 2018-CGFO-01669 which relate to the BP oil spill and the use of Corxit and dispersants during clean up. (Case Number 2023-CGFO-00103)
- On October 31, 2022, **Chris Nelson**, a representative of **Judicial Watch** in Washington, D.C., requested from the Transportation Security Administration Security (TSA) records pertaining to new measures to serve transgender, non-binary,

and gender non-conforming travelers from January 1, 2022, through the present. (Case Number 2023-TSFO-00086)

- On November 1, 2022, **Joao Carlos Santos**, a private individual in Lisbon, Portugal, requested from the United States Coast Guard (USCG) records pertaining to an accident investigation report related to the crash of the Sikorsky MH-60J helicopter. (Case Number 2023-CGFO-00009)
- On November 2, 2022, **Carlo Foppiano Palacios**, a representative of **Cooper University Hospital** in Camden, New Jersey, requested from the Office of Inspector General (OIG) records pertaining to the causes of death records for all detained migrants held in ICE custody. (Case Number 2023-IGFO-00065)
- On November 2, 2022, **Carlo Foppiano Palacios**, a representative of **Cooper University Hospital** in Camden, New Jersey, requested from the Office of Inspector General (OIG) records pertaining to immunization records against influenza and SARS-CoV-2 for all detained migrants held in ICE custody. (Case Number 2023-IGFO-00066)

#### **Late Requests:**

- On October 21, 2022, **Alex Calzareth**, a private individual in New York, New York, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of the late actor Heath Ledger. (Case Number COW 2022-005510)
- On October 24, 2022, **Nick Schwellenback**, a representative of *Project on Government Oversight (POGO)* in Washington, D.C., requested from the Office of Inspector General (OIG) records pertaining to letters, meeting notes and email communications between the Designated Agency Ethics Officials and the Office of the Inspector General regarding referrals to the OIG for conflicts of interest. (Case Number 2023-IGFO-00030)
- On October 26, 2022, **Rebecca Ballhaus**, a representative of *The Wall Street Journal* in New York, New York, requested from the Office of Inspector General (OIG) records pertaining to letters, meeting notes, and email communications between the Designated Agency Ethics Officials and the Office of the Inspector General regarding referrals to the OIG for conflicts of interest. (Case Number 2023-IGFO-00040)

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

- On October 27, 2022, the Cybersecurity & Infrastructure Security Agency (CISA) released to **Mehreen Rasheed**, a representative of **American Oversight** in Washington D.C., 9 pages of records pertaining to email communications and text messages from November 1, 2020, through January 20, 2021, sent by various high-ranking Department of Homeland (DHS) related to various news agencies, voting machine manufacturers and a pillow company CEO. Portions of this release were

withheld according to FOIA Exemptions 5, 6, and 7(E). (Case Number 2022-NPFO-00024)

- On October 31, 2022, the Transportation Security Administration (TSA) released to **Asher Wildman**, a representative of *News 13* in Orlando, Florida, 48 pages of records pertaining to a TSA employee misconduct investigation. Portions of the release are withheld pursuant to FOIA Exemptions 5, and 6. (Case Number 2021-TSFO-00630)
- On November 1, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Morgan Yardis**, a representative of **Protect the Public's Trust** in Washington, D.C., 5 pages of records pertaining to documents that identify the names and titles of all political appointees as of August 26, 2022. (Case Number 2022-HQFO-01586)
- On November 1, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mike LaSusa**, a representative of **Law360** in Lakewood, Colorado, two pages of records pertaining to written communications related to the departure of Angela Kelley, Senior Counselor for Immigration to the Secretary of the U.S. Department of Homeland Security (DHS). Portions of this response are being withheld pursuant to FOIA Exemption 6. (Case Number 2022-HQFO-00639)
- On November 1, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Patrick Llewellyn**, a representative of **Public Citizen Litigation Group** in Washington, DC, 344 pages of records pertaining to communications to or from any staff of the Department of Homeland Security (DHS) concerning the Presidential Advisory Commission on Election Integrity. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number COW 2018-000019)
- On November 1, 2022, the U.S. Citizenship and Immigration Services (USCIS) released to **Matt O'Brien**, a representative of the **Immigration Reform Law Institute** in Washington, D.C., one Excel spreadsheet pertaining to the statistics of U Visa from October 2009 through the present. These records were released in full. (Case Number COW 2019-500470)
- On November 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Christina Fialho**, a representative of *Freedom for Immigrants* in Oakland, California, 847 pages of records pertaining to mental healthcare provided at ICE detention facilities. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-12609)
- On November 2, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mike LaSusa**, a private individual in Lakewood, Colorado, 129 pages of records pertaining to resignation letters, farewell email messages, and formal memorandums announcing David Shahoulian's, former Assistant Security for Border Security and Immigration, and Karen Olick's, former Chief of Staff, departures from the Department of Homeland Security (DHS). Portions of this release were withheld according to FOIA Exemptions 5, 6, and 7(C). (Case Number 2022-HQFO-00525)
- On November 2, 2022, the Transportation Security Administration (TSA) released to **Emily Crose**, a representative of *MuckRock News* in Somerville, Massachusetts, 81



pages of records pertaining to the Quiet Skies program from 2010 through July 2018. Portions of the release are withheld pursuant to FOIA Exemptions 3, 5, 6, and 7(C). (Case Number 2018-TSFO-0081)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- *America First Legal v. U.S. Department of Homeland Security (DHS) and U.S. District Court for the District of Columbia* – Plaintiff submitted a FOIA request to DHS seeking information relating to political appointees for the entire DHS and its components. The plaintiffs filed a complaint in or around 2021 alleging DHS failed to meet the FOIA statutory deadline and provide any responsive records. The ICE FOIA Litigation team is working with OPLA on search taskings to gather and produce responsive records.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to the creation, implementation, or oversight of supervision programs including Intensive Supervision Appearance Program (ISAP) and the ATD Case Management Pilot Program from December 19, 2019, through the present. On September 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 792 pages of records to the plaintiff.
- In the matter of *Northeast Justice Center, LLC v. U.S. Citizenship and Immigration Services (USCIS) (22- cv-11353)*, plaintiff filed a FOIA request on March 15, 2022, seeking records pertaining to the "Vital Records Program" and the most recent "inventory of essential records" created by USCIS. On October 27, 2022, U.S. Citizenship and Immigration Services (USCIS) released 73 pages of records to the plaintiff.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement (ICE) (21-cv-03462)* plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to ICE's policies and procedures (including training manuals, rules, guidelines, court rulings, administrative rulings, etc.). On October 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 7 video files to the plaintiff.
- In the matter of *Black Alliance v. U.S. Immigrations and Customs Enforcement (ICE) (21-cv-06239)*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On October 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 354 pages of records to the plaintiff.

- In the matter of *American Center for Law and Justice v. U.S. Department of Homeland Security (DHS) (22-cv-00355)* plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On October 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 415 pages of records to the plaintiff.
- In the matter of *ACLU and ACLUF v. U.S. Department of Homeland Security (DHS)(22-cv-01721) (2022-HQLI-00040)*, plaintiff filed a FOIA request on April 7, 2022, seeking records pertaining to the Center for Prevention Programs and Partnerships (CP3) and the I&A domestic terrorism branch and how they may impact civil rights, civil liberties and personal privacy. On October 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office will release 6 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemption 5.
- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)*, plaintiff filed a complaint on December 3, 2021, seeking records pertaining to DHS's policy on immigration detention practices (release rather than detain) and detention capacity. On October 28, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 352 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. U.S. Department of Homeland (DHS) (20-cv-01583)*, plaintiff filed a FOIA request on August 16, 2019, seeking records pertaining to efforts toward family reunification and the release of minors from the U.S. Department of Homeland Security (DHS) custody and facilities. On October 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 524 pages of records to the plaintiff.
- In the matter of *Innovation Law Lab v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00443)* plaintiff filed a FOIA request on May 3, 2022, seeking records pertaining to the DHS Office of the Inspector General (OIG) inspection of the Torrance County Detention Facility that took place from February 1, 2022, through February 3, 2022. On October 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 982 pages of records to the plaintiff.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01501)* plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On October 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 7 excel spreadsheets to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (22-cv-00183)* plaintiff filed a FOIA request on September 23, 2021, seeking records pertaining to the operational guidance regarding the process for ICE

Field Office Directors or Special Agents in Charge to review and approve civil immigration enforcement actions against individuals outside of the interim enforcement and removal priorities. On October 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1 excel spreadsheet to the plaintiff.

- In the matter of *Project South v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00979)* plaintiff filed a FOIA request on April 8, 2022, seeking records pertaining to ICE's standards of operation at the Stewart Detention Center (SDC), including its standards for medical care and COVID-19 protocols. On October 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 610 pages of records to the plaintiff.
- In the matter of *American Immigration Council and International Refugee Assistance Project v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of Homeland Security (DHS) (22 -cv-05312)*, plaintiff filed a FOIA request on March 15, 2022, seeking records pertaining to data sets, guidance, procedures and policies regarding the processing of humanitarian parole requests by USCIS with a specific focus on Afghan nationals since January 1, 2021. On October 31, 2022, U.S. Citizenship and Immigration Services (USCIS) released 105 pages of records to the plaintiff.
- In the matter of *Heritage Foundation v. U.S. Department of Homeland (DHS) (22-cv-01770) (2022-HQLI-00039)*, plaintiff filed a complaint on March 23, 2022, seeking records pertaining to an investigation of a CBP incident in or near the Rio Grande River near Del Rio, Texas in September 2021. On October 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the second interim response, consisting of 356 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE)(18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On October 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 73 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)*, plaintiff filed three FOIA requests in April and June 2021 seeking records pertaining to the removals of Cameroonian and other African migrants, from August 1, 2020, to January 19, 2021, and ICE deportations of Cameroonian and other African migrants, from August 1, 2020, to February 26, 2021. On October 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 76 pages of records to the plaintiff.
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention at the center. On October 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 632 pages of records to the plaintiff.

- In the matter of ***RAICES v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00171)***, the plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at the Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On October 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released a video clip of 30:25 sec, Audio Clips: 1:16, 4:04, 5:28, 8:28, 7:47, and 87 pages of records to the plaintiff.
- In the matter of ***EPIC v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00762)*** plaintiff filed a FOIA request on December 3, 2021, seeking records pertaining to ICE's communications and contracts with ShadowDragon and ICE's use of SocialNet; records related to ICE's communications and contracts with Babel Street's software and use of location data. On October 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 198 pages of records to the plaintiff.
- In the matter of the ***Yale Law School Center for Global Legal Challenges v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)*** plaintiff filed a complaint on July 22, 2021, seeking records pertaining to the Office of the General Counsel nonbinding international understandings and arrangements. On November 1, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 1,242 pages of records to the plaintiff. Portions of this response were withheld pursuant to FOIA exemptions 3, 6, and 7 (E).
- In the matter of ***Louise Trauma Center LLC v. U.S. Department of Homeland Security (DHS) (21- cv-02371)***, plaintiff filed a FOIA request on May 14, 2020, seeking records pertaining to instructions from Headquarters regarding training for new asylum officers at the Arlington, Virginia, asylum office from January 1, 2020, through the present. On November 2, 2022, U.S. Citizenship and Immigration Services (USCIS) released 689 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
November 3, 2022 - November 9, 2022  
DHS Privacy Office  
November 14, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On November 3, 2022, **J Ader**, a representative of *Muckrock* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to a CSV file containing Customs and Border Protection's shared mailboxes including the primary SMTP address and date the mailbox was created. (Case number CBP-FO-2023-007761)
- On November 4, 2022, **Katharine Godshall**, a private individual in Sahuarita, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to the policies and procedures handbook for the security and caregiver/attendeo entities of both U.S. Customs and Border Protection and the contracted Deployed Services. (Case number CBP-FO-2023-008221)
- On November 7, 2022, **Ieva Jusionyte**, a representative of **Brown University** in Cambridge, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to outbound firearms and ammunition seizures along the southern border from FY 2020 through the present. (Case number CBP-FO-2023-008901)
- On November 8, 2022, **Susan B. Long**, a representative of **Transactional Records Access Clearinghouse (TRAC) at Syracuse University** in Syracuse, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to credible fear and reasonable fear cases from October 1, 2021, through October 31, 2022. (Case Number COW 2022-005686)
- On November 8, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to emails from Lawrence Payne and Peter Carr that contain the word "abortion" from September 1, 2022, through the present date. (Case number CBP-FO-2023-009831)

### Late Requests:

- On October 27, 2022, **Juliet Linderman** a representative of *Associated Press* in Baltimore, Maryland, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to correspondences from the White House Office of Religious Freedom that reference “foreign or international”, “children, child, toddler, boy, girl, orphan, baby, babies, infant, infants”, “adoption or guardianship.”; correspondences in DHS custody that reference “Afghanistan or Afghan”, “baby, child, orphan, babies, toddler, boy, girl, infant” and “Mast.” (Case Number 2023-ICFO-03000)
- On November 2, 2022, **Diana Marlen Lozano Perafán**, a representative of *El Líbero Medio De Comunicación* in Santiago, Chile, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of Visa Waiver applications from Chilean citizens in the last 2 years, including approvals, denials, and deportation after entering the United States on the Visa waiver. (Case number CBP-FO-2023-007324)
- On November 2, 2022, **Claire Galofaro**, a representative of *The Associated Press* in Louisville, Kentucky, requested from U.S. Customs and Border Protection (CBP) records pertaining to a list of FOIA requests sent to the agency that mention “Joshua Mast”, “Afghan baby/orphan/child/girl”, “Richard Mast”, “Stephanie Mast”, “Ahmad Osmani”, “Kimberley Motley”, “Fort Pickett” or “military action in Afghanistan on September 5th or 6th” from September 2019 through the present. (Case number CBP-FO-2023-007386)
- On November 2, 2022, **Sean Okane**, a representative of *Bloomberg News* in Woodcreek, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to Advance Passenger Information Systems between January 1, 2018, and November 2, 2022. (Case number CBP-FO-2023-007509)
- On November 2, 2022, **Maria Taracena** a representative of *Prism* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to reports issued by Cibola County Correctional Center guards or ICE officials from January 2020 to October 2022 of deaths by suicide, self-harm, suicide attempts and mental health crises of detainees; counseling provided to detainees; names of medications prescribed to detainees with depression, anxiety, PTSD and other mental health illnesses. (Case Number 2023-ICFO-03002)
- On November 4, 2022, **Maria Hipolit** a representative of *Scripps Media, Inc.* in Richmond, Virginia, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to email communications to and from employees at the Richmond, Virginia, Homeland Security Investigations Office between July 1, 2022, through the present that mentions: "mass shooting plot" "mass shooting" "July 4th" or "Dogwood Dell." (Case Number 2023-ICFO-03019)

### III. Freedom of Information Act Releases

- On November 3, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Sean Dunagan**, a representative of **Judicial Watch** in Glenwood Springs, Colorado, 69 pages of records pertaining to a grant awarded to the University of Maryland on or about August 31, 2020; communications between officials at the Department of Homeland Security and officials at the University of Maryland. Portions of this release will be withheld pursuant to FOIA Exemptions 4 and 6. (Case Number 2021-HQFO-00275)
- On November 4, 2022, U.S. Customs and Border Protection (CBP) released to **Gus Bova**, a representative of *The Texas Observer* in Austin, Texas, 28,534 pages of records pertaining to email communications between CBP and Logistics Management Institute from January 2017 to February 2019, related to meetings about the border wall and SBInet. Portions of this release were withheld pursuant to FOIA exemptions 3, 5, 6, 7(C), and 7(E). (Case number CBP-2019-027998)
- On November 4, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Austin R. Evers**, a representative of *American Oversight* in Washington, D.C., 216 pages of records pertaining to e-mail communications from January 21, 2017, through January 17, 2019, between Katharine Gorka, Stephen Miller, McLaurine Klingler, John Zadrozny, Andrew Veprek, David Wetmore, Victoria Coates, Sebastian Gorka, Ezra Cohen-Watnick, Steve Bannon. Portions of this release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-HQFO-00289)
- On November 4, 2022, U.S. Customs and Border Protection (CBP) released to **Toluse Olorunnipa**, a representative of *The Washington Post* in Washington, D.C., 9 pages of records pertaining to the Jones Act waiver submitted by CBP to allow a foreign-flagged vessel to access Puerto Rico in the aftermath of Hurricane Fiona. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, and 7(C). (Case number CBP-2022-134764)
- On November 7, 2022, the U.S. Citizenship and Immigration Services (USCIS) released to **Matthew Hoppock**, a representative of *MuckRock* in Somerville, Massachusetts, 679 pages of records pertaining to blank versions of the form N-400 from 1959 through the present. These records were released in full. (Case Number COW 2018-00806)
- On November 7, 2022, The Federal Law Enforcement Training Centers (FLETC) released to **Kristopher Mead**, a private individual in Canton, Michigan, 141 pages of records pertaining to email correspondences, directives, memos, and policy drafts referencing unvaccinated students and Dr. Melissa A. Broadman. Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number FLETC FOIA 22-042)
- On November 9, 2022, the U.S. Citizenship and Immigration Services (USCIS) released to **Lam Thuy Vo**, a representative of *BuzzFeed News* in New York, New



York, one Excel spreadsheet pertaining to a listing of attorneys or accredited representatives who have filed more than 100 asylum applications since 2008. These records were released in full. (Case Number COW 2018-000899)

- On November 9, 2022, the Transportation Security Administration (TSA) released to **Alex Shabad**, a representative of *NBC News Charlotte* in Charlotte, North Carolina, 3,078 pages of records pertaining to complaints against the TSA at Charlotte Douglas International Airport in 2017 and 2018, and the outcome of the complaints. Portions of the release are withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number 2021-TSFO-00630)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of the *IDP v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, seeking records pertaining to civil immigration arrests by U.S. Immigration and Customs Enforcement (ICE) agents that occur within, on the property of, or within two city blocks of New York State courthouses. On November 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 509 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered between ICE and Clearview AI. On November 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 340 pages of records to the plaintiff.
- In the matter of *ACLU Michigan v. U.S. Department of Homeland Security (DHS) (19-cv-03489)*, plaintiff filed a FOIA request on June 22, 2017, seeking records pertaining to Jilmar Ramos-Gomez. On November 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 307 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)*, plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On November 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 21 pages of records to the plaintiff.
- In the matter of *CREW v. U.S. Department of Homeland Security (DHS) (19-cv-03544) (2020-HQLI-00010)*, plaintiff filed a complaint on August 18, 2017, seeking records pertaining to calendar entries, meetings, job responsibilities, and email communications concerning Katharine Gorka; documents reflecting DHS' 2017

review of the Countering Violent Extremism (CVE) program and the decision to revoke CVE grant funding from the nonprofit organization, Life After Hate, and from the University of North Carolina at Chapel Hill. On November 4, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the 10<sup>th</sup> interim response consisting of 16 pages of records to the plaintiff.

- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Department of Homeland Security (DHS) (21-cv-10486)(2021-HQLI-00025)*, plaintiff filed a FOIA request on October 21, 2020, seeking records pertaining to the implementation of enhanced procedural protections, including competency inquiries, mental health examinations, and bond hearings to certain unrepresented and detained respondents with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On November 4, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released the first interim release of which DHS reviewed 341 pages for this production. Of the 341 pages, 213 are being sent for further consultation within DHS, with other DHS components, or with other government agencies. Fifteen pages are being referred. In addition, 7 pages were determined to be non-responsive or duplicative. Fifty-seven pages are being released in full, 9 pages are withheld in part, and 40 pages are withheld in full pursuant to FOIA exemptions 5 and 6.
- In the matter of *America First Legal Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-01896) (2022-HQLI-00044)*, plaintiff filed a FOIA request on July 9, 2021, seeking records pertaining to employees who entered into a position at the agency as a Political Appointee since January 20, 2021, including waivers, authorizations, ethics agreements, recusal determinations, and SF-50 forms for the individual reflecting any change in position, title, or salary, including when the employee starts or leaves a position. On November 8, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 333 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), (21-cv-01171)*, plaintiff filed a FOIA request on March 23, 2020, seeking records pertaining to e-mail communications from USCIS Officials regarding Migrant Protection Protocols (MPP). On November 8, 2022, the U.S. Citizenship and Immigration Services (USCIS) released 498 pages of records to the plaintiff.
- In the matter of the *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to HSI Special Agent Handbooks, memoranda, or training materials issued from January 21, 2017, through the present. On November 8, 2022, U.S. Immigration and Customs Enforcement (ICE) released 24 pages of records to the plaintiff.

- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS)(19-cv-03028)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On November 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 120 pages of records to the plaintiff.
- In the matter of *Hannah Rappleye and NBC Universal Media v. U.S. Department of Homeland Security (DHS) (20-cv-00280)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On November 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 120 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On November 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,805 pages of records to the plaintiff.
- In the matter of *Catholic Legal Immigration Network, Inc v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017, through August 12, 2019. On November 9, 2022, U.S. Citizenship and Immigration Services (USCIS) released 346 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (20-cv-00652)*, plaintiff filed a FOIA request on November 8, 2019, seeking records pertaining to guidance documents, training materials, and data related to a 2019 pilot program that transferred responsibility for conducting credible fear asylum interviews from USCIS officers to U.S. Customs and Border Protection (CBP) agents. On November 9, 2022, U.S. Citizenship and Immigration Services (USCIS) released 115 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
November 10, 2022- November 16, 2022  
DHS Privacy Office  
November 21, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On November 12, 2022, **Christian Markmiller**, a private individual in Idaho Falls, Idaho, requested from U.S. Customs and Border Protection (CBP) records pertaining to operational orders given to the La Paz County Sheriff by CBP regarding Operation Stonegarden on/or before July 10, 2019. (Case number CBP-FO-2023-011022)
- On November 12, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to photos of former President Donald J. Trump in the CBP media/press office, including visits to CBP offices and interacting with CBP leadership or staff members from January 1, 2017, to January 1, 2021. (Case number CBP-FO-2023-011030)
- On November 12, 2022, **Eric Haynes**, a representative of the **Haynes House Apothecary, LLC** in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to correspondences from Texas Governor Greg Abbott and Texas Attorney General Ken Paxton to CBP regarding any request for assistance in protecting the Texas border received from November 7, 2016, to November 7, 2022. (Case number CBP-FO-2023-011034)
- On November 14, 2022, **Patrick Eddington**, a representative of the **Cato Institute** in Annandale, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Jones Act Division of Enforcement (JADE) enforcement actions, including alleged infractions and the fines levied, and records that mention JADE's staffing and budget figures from January 1, 2016, through the present. (Case number CBP-FO-2023-011492)
- On November 14, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Federal Law Enforcement Training Center (FLETC) records pertaining to photos taken of former President Donald J. Trump while visiting the communications/media/press office at FLETC or interacting with FLETC leadership or staff members from January 2017 through January 2021. (Case Number 2023-FLETC-FO-00021)

### Late Requests:

- On November 1, 2022, **Elsa Goossen**, a representative of the **American Civil Liberties Union of New Mexico** in Albuquerque, New Mexico, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Credible Fear Interview or Reasonable Fear Interview determinations and Credible Fear Interview or Reasonable Fear Interview notes, worksheets, and transcripts of Kesley Vial, an immigrant who died while in U.S. Immigration and Customs Enforcement (ICE) custody in August 2022. (Case Number COW 2022-005707)
- On November 1, 2022, **Elsa Goossen**, a representative of the **American Civil Liberties Union of New Mexico** in Albuquerque, New Mexico, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the A File of the late **(b)(6)**, an immigrant who died while in U.S. Immigration and Customs Enforcement (ICE) custody in August 2022. (Case Number COW 2022-005708)
- On November 9, 2022, **(b)(6)** a private individual in Brisbane, Australia, requested from U.S. Customs and Border Protection (CBP) records pertaining to the investigation report related to their time in CBP custody at Los Angeles International Airport on June 30, 2022. (Case number CBP-FO-2023-010159)

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

- On November 7, 2022, U.S. Customs and Border Protection (CBP) released to **Ethan Polcyn**, a private individual in Inverness, Illinois, three pages of records and one video pertaining to footage/images/media taken by the CBP drone with the callsign "CBP 104" while conducting aerial surveillance over Minneapolis on the 29th of May 2020. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2020-057069)
- On November 10, 2022, U.S. Customs and Border Protection (CBP) released to **Michael Rothfeld**, a representative of *The Wall Street Journal*, in New York, New York, 49 pages of records pertaining to the U.S.- Mexico border wall. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case number CBP-2018-018559)
- On November 10, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Kendra Albert**, a representative of the **Harvard Law School Cyberlaw Clinic** in Cambridge, Massachusetts, 37 pages of records pertaining to DHS's analysis and implementation of an Executive Order related to "Enhancing Public Safety in the Interior of the United States" and the DHS Victim Information and Notification Exchange (DHS-VINE) from January 20, 2017, to the present. Portions of this response were withheld pursuant to FOIA Exemption 6. Immigration and Customs Enforcement (ICE) referred this request to the Department of Homeland Security (DHS) Privacy Office on March 21, 2022. (Case Number 2022-HQFO-00772)

- On November 10, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Jake Pearson**, a representative of *ProPublica*, in New York, New York, 26 pages of records pertaining to emails sent or received by USCIS employee Kathy A. Baran from January 20, 2017, through September 17, 2019, that contain the words or phrases “Uline,” or “Uihlein”. (Case Number COW 2019-501293)
- On November 14, 2022, U.S. Customs and Border Protection (CBP) released to **Edgar Saldivar**, a representative of the **American Civil Liberties Union of Texas (ACLU)** 82 pages of records pertaining to the total capacity for each El Paso CBP Detention Facility including documents related to the housing of migrants at CBP facilities. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case number CBP-2019-042453)
- On November 16, 2022, U.S. Customs and Border Protection (CBP) released to **Lance Sims**, a representative of the *Project on Government Oversight* in Arlington, Virginia, a five-page of records pertaining to policies, reports, and memos related to CBP’s Use of Force Policy from January 1, 2017, through the present. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2017-034698)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant’s prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On November 10, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,000 pages of records to the plaintiff.
- In the matter of *Northeast Justice Center, LLC v. U.S. Citizenship & Immigration Services (USCIS) (22-cv-01917)*, plaintiff filed a FOIA request on November 30, 2020, seeking records pertaining to guidance, training, and power points sent by the Asylum HQ Quality Assurance Branch to Asylum Offices from January 1, 2020, through the present. On November 10, 2022, U.S. Citizenship & Immigration Services (USCIS) released 83 pages of records to the plaintiff.
- In the matter of *McCann v. United States Citizen and Immigration Services (USCIS) (22-cv-02502)*, plaintiff filed a FOIA request on January 7, 2022, seeking records pertaining to the Alien File of [redacted (b)(6)] for information related to her issued Notice of Intent to Rescind Permanent Resident Status, and emails

pertaining to her case drafted or received by USCIS New Orleans Field Office Director Eureka Arties, Officer (b)(6),(b)(7)(C) and Officer (b)(6),(b)(7)(C). On November 10, 2022, United States Citizen and Immigration Services (USCIS) released 196 pages of records to the plaintiff.

- In the matter of *American Oversight v. United States Department of Justice (DOJ) (20-cv-02153)* plaintiff filed a FOIA request on October 8, 2020, seeking records pertaining to all protest response directives and guidance drafted, revised, finalized, or distributed from May 25, 2020, through October 20, 2020. On November 14, 2022, U.S. Customs and Border Protection (CBP) issued the eighth interim release, consisting of 213 pages of records to the plaintiff.
- In the matter of *Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)*, plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to emails sent or received by U.S. Citizenship and Immigration Services (USCIS) Ombudsman Julie Kirchner; all meeting notes, minutes and summaries prepared by or for Ms. Kirchner; and her calendar, appointment book, and phone call log. On November 15, 2022, the Department of Homeland Security (DHS) Privacy Office released the 46th interim response consisting of 282 pages of records to the plaintiff.
- In the matter of *The Heritage Foundation v. the U.S. Department of Homeland Security (DHS) (22-cv-01969) (2022-HQLI-00048)*, plaintiff filed a FOIA request on April 18, 2022, seeking records pertaining to Babel, Babel X, Babel Street, and Panamerica Computers Inc., including contracts awarded to the companies from January 21, 2021, to March 31, 2022. On November 15, 2022, the Department of Homeland Security (DHS) released 29 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices



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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
November 17, 2022- November 23, 2022  
DHS Privacy Office  
November 28, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On November 17, 2022, **Tanvi Misra**, a representative of *Type Investigations* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to recordings, transcripts, logs, and Arizona Air Coordination Center 911 intake forms, received by Tucson sector border patrol in 2018 regarding Guatemalan national [REDACTED] (b)(6) (Case number CBP-FO-2023-012759)
- On November 17, 2022, **Aaron Siri**, a private individual, requested the Federal Emergency Management Agency (FEMA) records pertaining to applications and awards for COVID-19 Funeral Assistance for deaths attributed to, or associated with, any COVID-19 vaccination dated March 11, 2021, through the present. (Case Number 2023-FEFO-00145)
- On November 17, 2022, **Aaron Siri**, a private individual, requested the Federal Emergency Management Agency (FEMA) records pertaining to communications sent or received by several FEMA employees from March 11, 2021, through the present that contain the words “funeral” and “vaccine” (Case Number 2023-FEFO-00146)
- On November 17, 2022, **Bennett Cyphers**, a representative of **Electronic Frontier Foundation** in San Francisco, California, requested from the Transportation Security Administration Security (TSA) records pertaining to contracts and similar procurement materials for products and services provided to TSA by Acxiom. (Case Number 2023-TSFO-00143)
- On November 17, 2022, **Tanvi Misra**, a representative of *Type Investigations* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to email communications between Tucson Sector Border Patrol officer, and Guatemalan consulate concerning Guatemalan national [REDACTED] (b)(6) [REDACTED] (b)(6) (Case number CBP-FO-2023-012789)
- On November 17, 2022, **Quint Doan**, a representative of **Stinson LLP** in Dallas, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Border Wall construction and cultural resource evaluations along the United States and Mexico border. (Case number CBP-FO-2023-012865)

- On November 17, 2022, **Stephen M. Foster**, a representative of the *Texas Facilities Commission* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to federally owned land properties along the Texas Border, including properties being acquired, and inventory and locations of federally owned, prefabricated steel wall panels that are currently staged in Texas. (Case number CBP-FO-2023-012904)
- On November 19, 2022, **Jonathan Keegan**, a representative of *The Markup* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to x-ray imagery scans of maritime cargo containers entering the Port of Los Angeles, from October 1, 2022, to October 3, 2022. (Case number CBP-FO-2023-013495)
- On November 21, 2022, **Tanvi Misra**, a representative of *Type Investigations* in New York City, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to official memorandums and guidance sent to Tucson Sector Border Patrol regarding the treatment of water sites for migrants created by humanitarian aid volunteer groups and non-profits, from 2018 to the present. (Case number CBP-FO-2023-013659)
- On November 21, 2022, **Nikhil Rao**, a representative of the **University of Michigan** in Ann Arbor, Michigan, requested from U.S. Customs and Border Protection (CBP) records pertaining to dates and addresses of all immigration enforcement actions, defined in the Immigration Enforcement Actions reports, from 2003 to present. (Case number CBP-FO-2023-013946)
- On November 23, 2022, **Claire Galofaro**, a representative of *The Associated Press* in Louisville, Kentucky, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to correspondence sent from or received by Ken Cuccinelli involving several designated parties that mention “Afghan”, “Orphan”, “Baby”, “Child”, “Girl”, “Adoption”, “Custody”, “Liberty”, “Counsel”, “Afghan President”, and “Afghanistan President,” from September 2019, through the present. (Case Number COW 2022-005958)
- On November 23, 2022, **Andrew Free**, a representative of *MuckRock News* in Boston, Massachusetts, requested from the Office of Inspector General (OIG) records pertaining to the total number of OIG investigations relating to allegations of misconduct or findings of policy or law violations against Border Patrol or its agents. (Case Number 2022-IGFO-00233)

**Late Requests:**

- On October 7, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails to or from "@ntia.doc.gov" and "@ntia.gov" with the following email addresses that mention the word "Solarwinds" or "SVR" or "hack" or "breach" in the subject line, body, or attachment. (Case Number 2023-HQFO-00166)

- On October 16, 2022, **Aaron Schaffer**, a representative of *The Washington Post* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to each opinion issued by the Department of Homeland Security's Designated Agency Ethics Officer (DAEO) from January 20, 2021, through the present. (Case Number 2023-HQFO-00161)
- On October 17, 2022, **Zachary Stieber**, a representative of *The Epoch Times* in New York City, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications to and from DHS regarding requests for volunteers from other government agencies/offices to help at the U.S.-Mexico border from June 1, 2022, to October 16, 2022. (Case Number 2023-HQFO-00164)
- On October 20, 2022, **Sean Dunagan**, a representative of **Judicial Watch** in Glenwood Springs, Colorado, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Organization for Security and Cooperation in Europe's Election Observation Mission to observe November 8, 2022, U.S. elections to include any meetings between any DHS official any foreign representative participating in the Election Observation Mission. (Case Number 2023-HQFO-00177)
- On November 10, 2022, **Mark Owens**, a representative of **Owens Law** in Lafayette, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to a helicopter crash that occurred on October 26, 2022, in St. Mary Parish, Louisiana. (Case Number 2023-CGFO-00277)
- On November 11, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the United States Coast Guard (USCG) records pertaining to a digital copy of each photo of President Trump in the USCG communications/media/press office taken by the USCG while the president was visiting, or interacting with Coast Guard leadership or staff members, or otherwise engaging with the agency. (Case Number 2023-CGFO-00259)
- On November 11, 2022, **John Ramsey**, a representative of *Post and Courier* in Charleston, South Carolina, requested from the United States Coast Guard (USCG) records pertaining to investigations that were completed between August 1, 2022, through the present concerning incidents, accidents or mishaps related to the U.S. Coast Guard Cutter JAMES. (Case Number 2023-CGFO-00262)
- On November 11, 2022, **Reena Bhatia**, a private individual in Herndon, Virginia, requested from the United States Coast Guard (USCG) records pertaining to a contract for Waterways Commerce Cutter Training Contract. (Case Number 2023-CGFO-00278)
- On November 14, 2022, **Janon Fisher**, a representative of the *New York Daily News* in Hicksville, New York, requested from the United States Coast Guard (USCG) records pertaining to an incident involving a New York City Fire Department vessel that occurred on June 17, 2022. (Case Number 2023-CGFO-00274)
- On November 16, 2022, **Maggie Michael**, a representative of the *International Consortium of Investigative Journalists* in Washington, D.C., requested from U.S.

Customs and Border Protection (CBP) records pertaining to reports, internal memoranda, financial records, and incorporation material, related to individuals banned from entering the United States in connection with Kinahan Organized Crime Group. (Case number CBP-FO-2023-012259)

- On November 16, 2022, **Chunzi Xu**, a representative of *Bloomberg News* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to crude oil and petroleum products, imported from Russia after the United States sanctioned alleged products. (Case number CBP-FO-2023-012452)
- On November 16, 2022, **Jason Hopkins**, a representative of the *Immigration Reform Law Institute* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to emails related to Chris Magnus's resignation between the dates of December 13, 2021, to November 12, 2022. (Case number CBP-FO-2023-012389)

### III. Freedom of Information Act Releases

- On November 17, 2022, The Federal Law Enforcement Training Centers (FLETC) issued to **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, a no records response to his request for a digital copy of each photo of President Donald J. Trump in the communications/media/press office at FLETC from January 2017 through January 2021. (Case Number 2023-FLETC-FO-00021)
- On November 18, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Brianne Ledda**, a representative of *Times Review* in Miller Place, New York, 23 pages of records pertaining to the public scoping comments from federal, state, local agencies, tribes, and individuals submitted on the closure of the Plum Island Animal Disease Center on Plum Island, New York. Portions of this response are withheld pursuant to FOIA exemption 6. (Case Number 2022-HQFO-00752)
- On November 18, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Lydia Emmanouilidou**, a private individual in Dedham, Massachusetts, five pages of records pertaining to the June 28, 2022, visit to the 'Closed Controlled Access Centre' on Samos Island, Greece June 28, 2022, by Department of Homeland Security Assistant Secretary for International Affairs Serena Hoy. Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-01359)
- On November 18, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Morgan Yardis**, a representative of **Protect the Public's Trust** in Washington, D.C., 11 pages of records pertaining to post-government employment for Department Senior Executive Service (SES) political appointees including waivers of post-employment restriction, recusals, public financial disclosure requirements, gift disclosures, authorizations to engage in teaching for compensation, determination of a substantial conflict of interest, employment negotiation notices, ethics agreements, and ethics reviews. Portions of this response are withheld pursuant to FOIA exemption 6. (Case Number 2022-HQFO-01388)
- On November 18, 2022, U.S. Customs and Border Protection (CBP) released to **Joseph Cozx**, a representative of *MuckRock News, Inc.* in Somerville, Massachusetts, 101

pages of records pertaining to emails regarding location-tracking software BabelStreet/Locate X from 2017 through the present. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2020-074221)

- On November 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Tim Marchman**, a representative of *MuckRock News* in Somerville, Massachusetts, 39 pages of records pertaining to emails, calendar meetings, and PowerPoint slides documenting a meeting between Homeland Security Investigations staff and an organization called Operation Underground Railroad in Colombia in 2014. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2021-ICFO-17891)
- On November 18, 2022, U.S. Customs and Border Protection (CBP) released to **Bryon Tau**, a representative of *Wall Street Journal*, in Washington, D.C., 101 pages of records pertaining to emails regarding location-tracking software BabelStreet/Locate X from 2017 through the present. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2020-041951)
- On November 18, 2022, U.S. Customs and Border Protection (CBP) released to **Matthew Drange**, a representative of *Business Insider*, in San Francisco, California, 101 pages of records pertaining to emails regarding location-tracking software BabelStreet/Locate X from 2017 through the present. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2020-037997)
- On November 18, 2022, U.S. Customs and Border Protection (CBP) released to **Jake Wiener**, a representative of *Electronic Privacy Information Center (EPIC)* in Washington, D.C., 101 pages of records pertaining to emails regarding location-tracking software BabelStreet/Locate X from 2017 through the present. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-020605)
- On November 21, 2022, the Transportation Security Administration (TSA) released to **Andrew Applebaum**, a representative of *FlyersRights.Org* in Washington, D.C., 3,795 pages of records pertaining to the calendar of Acting Administrator Huban A. Gowadia's from January 20, 2017, through August 10, 2017; and Administrator David P. Pekoske's calendar from August 10, 2017, through the present. Portions of the release are withheld pursuant to FOIA Exemptions 3, 5, 6, and 7(C). (Case Number 2017-TSFO-00401)
- On November 22, 2022, U.S. Customs and Border Protection (CBP) released to **Toluse Olorunnipa**, a representative of *The Washington Post*, in Washington, D.C., 25 pages of records pertaining to Jones Act waivers filed from September 10, 2022, to September 28, 2022, that allows a foreign-flagged vessel to access Puerto Rico in the aftermath of Hurricane Fiona. Portions of this request were withheld pursuant to FOIA exemptions 4, 6, and 7(C). (Case number CBP-2022-134764)
- On November 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Heidi Altman**, a representative of the *National Immigrant Justice Center* in Washington, D.C., 1,229 pages of records describing, analyzing, and implementing

Migrant Protection Protocols. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number COW 2019-500486)

- On November 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative of the **Cato Institute** in Washington, DC, 19 pages of records pertaining to H-2A, H-2B, H1-B, and I-140 data from FY2003 through FY2020. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2020-000212)
- On November 23, 2022, U.S. Citizenship and Immigration Services (USCIS), released to **Daniel Rivero**, a representative of **WLRN News** in Miami, Florida, seven pages of records pertaining to several Congressional Correspondence Logs. (Case Number COW 2020-001444)
- On November 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Sacchetti**, a representative of **The Washington Post** in Washington, D.C., 2,248 pages of records pertaining to the Mortality Review report, conducted by ICE Health Services Corps' Investigations Unit, for each immigrant who died in ICE custody for the past three fiscal years. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-23820)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *ACLU v. U.S. Department of Justice (DOJ)(18-cv-00290)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants and visa applicants' social media information for the purpose of conducting "extreme vetting. On November 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 93 pages of records to the plaintiff.
- In the matter of *EFF v. U.S. Department of Homeland (DHS)(22-cv-01957)*, plaintiff filed a FOIA request on March 28, 2022, seeking records pertaining to the Visa Lifecycle Vetting Initiative (VLVI), an immigration screening and vetting program that evolved from former President Donald Trump's "extreme vetting" proposal. On November 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 262 pages of records to the plaintiff.
- In the matter of *Fraz Khan v. U.S. Department of Homeland Security (DHS)(22-cv-02480)*, plaintiff filed a FOIA request on May 28, 2022, seeking records pertaining to Fraz Malik Khan, including but not limited to his contact, apprehension, and detention by CBP at the DFW airport on or around January 4, 2021. On November 17, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union of Massachusetts v. U.S. Department of Homeland Security (DHS)(19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, seeking records pertaining to the profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On November 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 451 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Southern California v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-04760)*, plaintiff filed a FOIA request on April 29, 2022, seeking records pertaining to the treatment of hospitalized detainees and detainees released from custody prior to their death. On November 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 2,444 pages of records to the plaintiff.
- In the matter of *National Immigration Litigation Alliance v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-11331)*, plaintiff filed a FOIA request on May 28, 2022, seeking records pertaining to guidance or policies regarding the screening and/or processing of individuals for removal who have been granted withholding of removal or protection under the Convention Against Torture (CAT). On November 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 14 pages of records to the plaintiff.
- In the matter of *Reed Smith LLP v. U.S. Customs and Border Protection (CBP) (21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to CBP transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On November 18, 2022, U.S. Customs and Border Protection (CBP) released its eleventh interim response, consisting of 285 pages of records to the plaintiff.
- In the matter of the *Black Alliance for Just Immigration; American Immigration Council; American Civil Liberties Union of San Diego & Imperial Counties; and American Civil Liberties Union of Texas v. U.S. Customs and Border Protection (CBP) (20-cv-05198)*, plaintiff filed a FOIA request on October 28, 2020, seeking records pertaining to CBP's surveillance of, and deployment of CBP personnel to protests in various U.S. cities following the death of George Floyd by Minnesota police officers on May 25, 2020. On November 18, 2022, U.S. Customs and Border Protection (CBP) issued a tenth and final release, consisting of 40 pages of records to the plaintiff.
- In the matter of *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Justice (DOJ) and U.S. Department of Homeland Security (DHS) (20-cv-02553)*, plaintiff filed a FOIA request on July 23, 2020, seeking records pertaining to the deployment of CBP personnel to protests, as a result of the death of George Floyd. Plaintiff filed suit on September 11, 2020, claiming injunctive and declaratory relief. On November 21, 2022, U.S. Customs and Border Protection (CBP) issued the twenty-first interim release, consisting of 40 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to contracts, memorandums of understanding, and e-mails associated with the



submission, acceptance, and review of detainee health with Kenosha County, Wisconsin for the health care provided to people held under immigration laws. On November 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 473 pages of records to the plaintiff.

- In the matter of *OCAD, IDP, and CCR v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE's decision to expend resources to establish "Citizens Academies". On November 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 335 pages of records to the plaintiff.
- In the matter of *Jason Leopold and BuzzFeed Inc. v. United States Department of Homeland Security (DHS) (20-cv-02179)*, plaintiff filed a FOIA request on August 12, 2020, seeking records pertaining to recent protests in the wake of the killing of George Floyd. On November 22, 2022, U.S. Customs and Border Protection (CBP) issued the eighth interim release, consisting of 40 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On November 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 105 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) related to the death of Anthony Jones aka Henry Missick. On November 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 261 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to final talking points prepared for Secretary Nielsen regarding Migrant Protection Protocols (MPP) and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana and the expansion of the protocol to additional ports of entry. On November 22, 2022, U.S. Immigration and Customs Enforcement (ICE) released 133 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of Homeland Security (DHS), (20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking records pertaining to form I-924As filed by EB-5 Regional Centers for FY2017. On November 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 218 pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project v. U.S. Department of Homeland Security (DHS) and U.S. Citizenship and Immigration Services (USCIS) (21-cv-09519)*, plaintiff filed a FOIA request on August 20, 2021, seeking records pertaining to USCIS systems, manuals, policies and training materials from January 1,

2016, through the present. On November 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released 42 pages of records to the plaintiff.

- In the matter of *American Immigration Council and International Refugee Assistance Project v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of Homeland Security (DHS) (22 -cv-05312)*, plaintiff filed a FOIA request on October 26, 2021, seeking records pertaining to guidance, procedures, policies, and directives regarding the processing of humanitarian parole requests by USCIS with a specific focus on Afghan nationals since January 1, 2021. On November 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 131 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
November 24, 2022- November 30, 2022  
DHS Privacy Office  
December 5, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On November 27, 2022, **Kristopher Mead**, a private individual in Canton, Michigan, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to emails and memorandums mentioning unvaccinated individuals and FLETC 120-day operational status. (Case Number 2023-FLETC-FO-00028)
- On November 27, 2022, **Michael Ding**, a representative of **America First Legal Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between Secretary Alejandro Mayorkas, Kristie Canegally, Jennifer Higgins, or Karen Olick and any email address ending in “@twitter.com” or “@uber.com; visitor log entries from the DHS HQ Executive Dining Room listing guest of Secretary Alejandro Mayorkas. (Case Number 2023-HQFO-00355)
- On November 28, 2022, **Chris Stanley**, a representative of **Functional Government Initiative** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the number of employees in the Senior Executive Service (SES) at DHS with agreements for full-time remote work; the number of SES employees at DHS with telework agreements for three or more days per pay period. (Case Number 2023-HQFO-00373)
- On November 29, 2022, **Brent Roller**, a private individual, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications between Jeffery Rezmovic, Heather Fong, Kristie Canegallo, John Tien, and Alejandro Mayorkas regarding the HSI SRT Canine Program for the past 12 months/calendar year in 2022. (Case Number 2023-HQFO-00377)
- On November 29, 2022, **Tal Kopan**, a representative of the *San Francisco Chronicle* in San Francisco, California, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to guidance or policies for communication with the public about the Migrant Protection Protocols (MPP) program, Remain in Mexico program or the Legal Access at the Border (LAB) program. (Case Number 2023-HQFO-00380)
- On November 30, 2022, **Chris Nelson**, a representative of **Judicial Watch** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS)

Privacy Office records pertaining to the Office of Strategy, Policy, and Plans, Department of Homeland Security communications regarding Unmanned Aircraft Systems (Drones) operating in airspace near or over facilities designated as national critical infrastructure or events designated as National Special Security Events. (Case Number 2023-HQFO-00381)

- On November 30, 2022, **Elizabeth Clark**, a representative of the **Federal Law Enforcement Training Center (FLETC)** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to a full copy of the September 6, 2016, Management Review of Allegations of Hostile Work Environment completed by (b)(6) regarding (b)(6) (Case Number 2023-HQCO-00013)

**Late Requests:**

- Nothing significant to report.

**III. Freedom of Information Act Releases**

- On November 28, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Taylor Holst**, a private individual in Brooklyn, New York, 13 pages of records pertaining to email communications between DHS leadership officials, Senator Marco Rubio, and members of his staff from January 1, 2019, through June 7, 2022. Portions of this release will be withheld pursuant to FOIA Exemption 5, 6, and 7(C). (Case Number 2022-HQFO-01190)
- On November 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Jose Olivares** a representative of *National Public Radio* in Washington, D.C., 768 pages of records pertaining to the production of the Office of Detention Oversight Compliance Inspection report, for the Irwin County Detention Center in Ocilla, Georgia. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C), and 7(E). (Case Number 2021-ICFO-09330)
- On November 29, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., 56 pages of records pertaining to communications that refer or relate to meetings between members of the Biden Harris Transition Team and the DHS Presidential Transition Office, including emails to and from Mark Koumans from November 2, 2020, through March 21, 2021. Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-01132)
- On November 29, 2022, U.S. Customs and Border Protection (CBP) released to **Betsy Lawrence**, a representative of **American Immigration Lawyers Association** in Washington, D.C., four pages of records pertaining to a memorandum and a muster related to the “Buy American and Hire American” Executive Order (EO). Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2018-046704)

- On November 29, 2022, U.S. Customs and Border Protection (CBP) released to **Mike Howell**, a representative of **The Heritage Foundation**, in Washington, D.C., a one-page record pertaining to got-away and turn-back statistics. (Case number CBP-2022-055545)
- On November 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Andrew Calderon**, a representative of **The Marshall Project** in New York, New York, 187 pages of records pertaining to the DHS EMS Life Support Protocols Manual. (Case Number 2022-HQFO-00316)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- *Eric Martin Matthews v. Federal Bureau of Prisons, ICE, CBP, USCIS, et al., U.S. District Court for The District of Columbia* – Since October 2018, plaintiffs submitted multiple FOIA requests and appeals to ICE seeking records pertaining to Eric Matthews and criminal case number 2:06-CR-14069 in the Southern District of Florida. Plaintiffs filed a complaint on May 23, 2022, alleging ICE failed to meet the FOIA statutory deadline and provide any responsive records. The ICE FOIA Litigation team is working with OPLA on search taskings to gather and produce responsive records.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Customs and Border Protection (CBP) (22-cv-10301)*, plaintiff filed a FOIA request on May 29, 2020, seeking records pertaining to individuals with F-1 student visas who were denied entry and/or deemed inadmissible by CBP at ports of entry. Plaintiff filed suit on February 23, 2022, claiming injunctive relief. On November 29, 2022, U.S. Customs and Border Protection (CBP) issued its fifth interim release, consisting of 190 pages of records to the plaintiff.
- In the matter of the *American Immigration Council v. U.S. Customs and Border Protection (CBP) (21-cv-01642)*, plaintiff filed a FOIA request on March 5, 2021, seeking records pertaining to the CBP's Corporate Data Dictionary (CDD), which includes standard terms and definitions used in CBP data and a list of all CBP databases. Plaintiff filed suit on June 21, 2021, claiming injunctive relief. On November 29, 2022, U.S. Customs and Border Protection (CBP) issued its first and final release, consisting of 101 pages of records to the plaintiff.
- In the matter of the *State of Florida v. U.S. Department of Homeland Security (DHS)(21-cv-14462)*, plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to the impacts of DHS's September 30, 2021, immigration enforcement guidance. Plaintiff filed suit on September 12, 2021, claiming injunctive

relief. On November 29, 2022, U.S. Customs and Border Protection (CBP) issued its sixth interim response consisting of 206 pages of records to the plaintiff.

- In the matter of *Los Angeles Times Communications LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE Office of Professional Responsibility (OPR) investigation closing reports related to sexual misconduct allegations at dedicated Enforcement and Removal Operations (ERO) facilities. On November 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 9 pages of records to the plaintiff.
- In the matter of *Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)* plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to policies and guidance concerning the detention of a transgender or intersex person during the COVID-19 pandemic; training manuals, guides, and memoranda's used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention. On November 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 500 pages of records to the plaintiff
- In the matter of *Black Alliance v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06239)*, plaintiff filed a FOIA request on November 10, 2021, seeking records pertaining to ICE's use of force, solitary confinement, access to medical treatment, and other conditions that impact Black immigrants in ICE detention. On November 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 269 pages of records to the plaintiff.
- In the matter of *EFF v. U.S. Department of Homeland Security (DHS)(22-cv-01957)*, plaintiff filed a FOIA request on March 28, 2022, seeking records pertaining to the Visa Lifecycle Vetting Initiative (VLVI), an immigration screening and vetting program that evolved from former President Donald Trump's "extreme vetting" proposal. On November 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 179 pages of records to the plaintiff.
- In the matter of *Lila Hassan v. U.S. Department of Homeland Security (DHS) (21-cv-00877)*, plaintiff filed a FOIA request on February 11, 2020, seeking records pertaining to locations, dates, and names of individuals arrested for critical incident weapons discharging between FY 2016 and FY 2020. On November 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 41 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)*, plaintiff filed a FOIA request on October 14, 2021, seeking records pertaining to the removals of Cameroonian and other African migrants, from August 1, 2020, to January 19, 2021, and ICE deportations of Cameroonian and other African migrants, from August 1,

2020, to February 26, 2021. On November 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 110 pages of records to the plaintiff.

- In the matter of *RAICES v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed a FOIA requests on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On November 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released one video clip of 30:06 sec, and 4 audio clips of 12:25, 12:52, 11:39, and 2:20 to the plaintiff.
- In the matter of *Project South v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00979)*, plaintiff filed a FOIA request on April 8, 2022, seeking records pertaining to ICE's standards of operation at the Stewart Detention Center (SDC), including its standards for medical care and COVID-19 protocol, cohort procedures; ICE's records of contracts and communications regarding the provision of medical care for the immigrants detained at SDC. On November 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released 618 pages of records to the plaintiff.
- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)*, plaintiff filed a FOIA request on December 3, 2021, seeking records pertaining to DHS's policy on immigration detention practices and detention capacity. On November 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released its 9<sup>th</sup> interim response, consisting of 385 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *Los Angeles Times Communications LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE Office of Professional Responsibility (OPR) Investigation Closing Reports related to sexual misconduct allegations at dedicated Enforcement and Removal Operations (ERO) facilities. On November 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 19 pages of records to the plaintiff.
- In the matter of *Human Rights Defense Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02291)*, plaintiff filed a FOIA request on August 30, 2021, seeking records pertaining to contracts active from January 1, 2010, between ICE and eleven companies which owned, operated, or managed detention facilities. On November 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 505 pages of records to the plaintiff.
- In the matter of *American Center for Law and Justice v. U.S. Department of Homeland Security (DHS) (22-cv-00355)*, plaintiff filed a FOIA request on December 17, 2021, seeking records pertaining to boarder related human trafficking and exploitation of women and children, the cancelation or postponement of Operation Talon, and taking down CBP's press release on arrest of persons on the FBI's terrorism



watch list. On November 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 399 pages of records to the plaintiff.

- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01153)*, plaintiff filed a FOIA request on February 10, 2022, seeking records pertaining to the creation, implementation, or oversight of supervision programs including Intensive Supervision Appearance Program (ISAP) and the ATD Case Management Pilot Program from December 19, 2019, through the present. On November 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 982 pages of records to the plaintiff.
- In the matter of *Innovation Law Lab v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00443)*, plaintiff filed a FOIA request on May 3, 2022, seeking records pertaining to the DHS Office of the Inspector General (OIG) inspection of the Torrance County Detention Facility that took place from February 1, 2022, through February 3, 2022. On November 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 792 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
November 24, 2022- November 30, 2022  
DHS Privacy Office  
December 5, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On November 27, 2022, Kristopher Mead, a private individual in Canton, Michigan, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to emails and memorandums mentioning unvaccinated individuals and FLETC 120-day operational status. (Case Number 2023-FLETC-FO-00028)

**Late Requests:**

**III. Freedom of Information Act Releases**

- On November 28, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Taylor Holst**, a private individual in Brooklyn, New York, 13 pages of records pertaining to email communications between DHS leadership officials, Senator Marco Rubio, and members of his staff from January 1, 2019, through June 7, 2022. Portions of this release will be withheld pursuant to FOIA Exemption 5, 6, and 7(C). (Case Number 2022-HQFO-01190)
- On November 29, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Jose Olivares** a representative of *National Public Radio* in Washington, D.C., 768 pages of records pertaining to the production of the Office of Detention Oversight Compliance Inspection report, for the Irwin County Detention Center in Ocilla, Georgia. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C), and 7(E). (Case Number 2021-ICFO-09330)
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- On November 29, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Michael Howell**, a representative of **The Heritage Foundation** in Washington, D.C., 56 pages of records pertaining to communications that refer or relate to meetings between members of the Biden Harris Transition Team and the DHS Presidential Transition Office, including but not limited to emails to and from Mark Koumans from November 2, 2020, through March 21, 2021. Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2022-HQFO-01132)

- On November 29, 2022, U.S. Customs and Border Protection (CBP) released to **Betsy Lawrence**, a representative of **American Immigration Lawyers Association** in Washington, D.C., four pages of records pertaining to a memorandum and a muster related to the “Buy American and Hire American” Executive Order (EO). Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2018-046704)
- On November 29, 2022, U.S. Customs and Border Protection (CBP) released to **Mike Howell**, a representative of **The Heritage Foundation**, in Washington, D.C., a one-page record pertaining to got-away and turn-back statistics. This record was released in full. (Case number CBP-2022-055545)
- On November 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Andrew Calderon**, a representative of **The Marshall Project** in New York, New York, 187 pages of records pertaining to the DHS EMS Life Support Protocols Manual. This response will be released in full. (Case Number 2022-HQFO-00316)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. **Litigation**

- ***Eric Martin Matthews v. Federal Bureau of Prisons, ICE, CBP, USCIS, et al., U.S. District Court for The District of Columbia*** – Since October 2018, plaintiffs submitted multiple FOIA requests and appeals to ICE seeking records pertaining to Eric Matthews and criminal case number 2:06-CR-14069 in the Southern District of Florida. Plaintiffs filed a complaint on May 23, 2022, alleging ICE failed to meet the FOIA statutory deadline and provide any responsive records. The ICE FOIA Litigation team is working with OPLA on search taskings to gather and produce responsive records.

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- In the matter of ***Harvard Immigration and Refugee and Clinical Program v. and U.S. Customs and Border Protection (CBP) (1:22 -cv-10301-LTS)*** plaintiff filed a FOIA request on May 29, 2020, seeking records pertaining to individuals with F-1 student visas who were denied entry and/or deemed inadmissible by CBP at ports of entry. Plaintiff filed suit on February 23, 2022, claiming injunctive relief. On November 29, 2022, U.S. Customs and Border Protection (CBP) issued its fifth interim release, consisting of 190 pages of records to the plaintiff.

- In the matter of the *American Immigration Council v. U.S. Customs and Border Protection (CBP) (21-cv-01642)*, plaintiff filed a FOIA request on March 5, 2021, seeking records pertaining to the CBP's Corporate Data Dictionary (CDD), which includes standard terms and definitions used in CBP data and a list of all CBP databases. Plaintiff filed suit on June 21, 2021, claiming injunctive relief. On November 29, 2022, U.S. Customs and Border Protection (CBP) issued a first and final release, consisting of 101 pages of records to the plaintiff.
- In the matter of the *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462)*, plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to the impacts of DHS's September 30, 2021, immigration enforcement guidance. Plaintiff filed suit on September 12, 2021, claiming injunctive relief. On November 29, 2022, U.S. Customs and Border Protection (CBP) issued its sixth interim response consisting of 206 pages of records to the plaintiff.
- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)*, plaintiff filed a complaint on December 3, 2021, seeking records pertaining to the U.S. Department of Homeland Security (DHS) policy on immigration detention practices (release rather than detain) and detention capacity. On November 30, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released its 9<sup>th</sup> interim response, consisting of 385 pages of records. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.

### **Freedom of Information Act Exemptions**

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
December 1, 2022- December 7, 2022  
DHS Privacy Office  
December 12, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On December 1, 2022, **Caroleine James**, a representative of *Wrangell Sentinel*, in Wrangell, Alaska, requested from the United States Coast Guard (USCG) records pertaining to the November 27, 2022, boat accident near Point Baker involving two individuals and the November 28, 2022, search effort. (Case Number 2023-CGFO-00362)
- On December 1, 2022, **Michael Smith** a representative of *Bloomberg News* in Coral Gables, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to chartered flights arranged by the state of Florida and Governor Ron DeSantis to transport recent immigrants from Latin America from San Antonio, Texas, to Martha's Vineyard, MA, on September 14, 2022. (Case Number 2023-ICFO-05473)
- On December 2, 2022, **Carlo Foppiano Palacios**, a representative of **Cooper University Hospital** in Plymouth Meeting, Pennsylvania, requested from U.S. Customs and Border Protection (CBP) records pertaining to data on influenza and respiratory virus testing for all migrants in facilities associated with U.S. Customs & Border Protection between September 2017 and December 2022. (Case number CBP-FO-2023-016972)
- On December 2, 2022, **Kristin Crowley**, a representative of *11Alive News Foundation* in San Francisco, California, requested from the Transportation Security Administration (TSA) records pertaining to a list of weapons/firearms found in the personal property of pilot or crew members through the KCM lane nationwide since January 1, 2019. (Case Number 2023-TSFO-00193)
- On December 2, 2022, **Carlo Foppiano Palacios**, a representative of **Cooper University Hospital** in Plymouth Meeting, Pennsylvania, requested from U.S. Customs and Border Protection (CBP) records pertaining to data on all monkeypox, herpes simplex, and varicella zoster virus testing for all migrants in facilities associated with U.S. Customs & Border Protection between January 2022 and November 2022. (Case number CBP-FO-2023-016991)
- On December 2, 2022, **Carlo Foppiano Palacios**, a representative of **Cooper University Hospital** in Plymouth Meeting, Pennsylvania, requested from U.S.

Customs and Border Protection (CBP) records pertaining to cause of death records for all detained migrants held in U.S. Customs & Border Protection custody between October 2017 and October 2022. (Case number CBP-FO-2023-016998)

- On December 2, 2022, **Carlo Foppiano Palacios**, a representative of **Cooper University Hospital** in Plymouth Meeting, Pennsylvania, requested from U.S. Customs and Border Protection (CBP) records pertaining to data on all SARS-CoV-2 testing for all migrants in facilities associated with U.S. Customs & Border Protection between January 2020 and December 2022. (Case number CBP-FO-2023-017011)
- On December 5, 2022, **Jason Leopold**, a representative of **Bloomberg News** in Beverly Hills, California, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between the Disinformation Governance Board members and DHS officials regarding Secretary Alejandro Mayorkas decision to disband the board. (Case Number 2023-HQFO-00418)

#### **Late Requests:**

- On November 11, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to a digital photo of President Donald J. Trump in the press/communications/media office at the USCIS during the timeframe of January 2017, through January 2021. (Case Number COW 2022-006074)
- On November 21, 2022, **Chris Opila**, a representative of the **International Refugee Assistance Project (IRAP)** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Refugee Resettlement Case Management Systems. (Case Number COW 2022-006042)

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

- On November 29, 2022, the U.S. Coast Guard (USCG) issued to **Clara Clemson**, a representative of **Phelps Dunbar LLP** in New Orleans, Louisiana, 277 pages of records pertaining to investigation reports, photographs, and handbooks concerning a fire aboard the USCGC BENJAMIN DAILEY on December 10, 2021. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, 6, and 7(C). (Case Number 2022-CGFO-01631)
- On December 1, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Christian Fons-Rosen**, a representative of the **University of California Merced** in Merced, California, one spreadsheet pertaining to E-Verify data points from 2005 through 2018. These records are released in full. (Case Number COW 2020-000326)
- On December 1, 2022, U.S. Customs and Border Protection (CBP) will release to **Lyra Straley**, a representative of **Emery Celli Brinckerhoff Abady Ward & Maazel LLP** in New York, New York, 215 pages of records pertaining to communications between CBP and Loyal Source Government Services (LSGS)



regarding staffing and medical services provided by LSGS at Weslaco and McAllen Border Patrol Stations from June 2018 to July 2019. Portions of this release will be withheld pursuant to FOIA exemptions 4,5,6, 7(C), and 7(E). (Case number CBP-2022-046192)

- On December 2, 2022, U.S. Customs and Border Protection (CBP) released to **Andrew Calderon**, a representative of *The Marshall Project*, in East Elmhurst, New York, 126 pages of records pertaining to memos, Standard Operating Procedures (SOP), design specifications, and policies concerning rescue beacons. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-077865)
- On December 5, 2022, the U.S. Citizenship and Immigration Services (USCIS) released to **David Jones**, a representative of *The Real Deal* in New York, New York, 1,684 pages of records pertaining to *Notices of Intent to Terminate*, and *Notices of Termination* related to the Immigrant Investor Program from January 1, 2017, through May 2, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 4 and 6. (Case Number COW 2018-000541)
- On December 6, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Tonya Riley**, a representative of *MuckRock News* in Somerville, Massachusetts, 31 pages of records pertaining to DHS' use of "iProov" technology between December 13, 2021, through April 15, 2022. Portions of this release were withheld according to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2022-HQFO-00900)
- On December 7, 2022, U.S. Customs and Border Protection (CBP) issued to **Dillon O'Collier**, a representative of *KSAT TV* in San Antonio, Texas, a no records response in regard to his request for surveillance footage from the tractor-trailer lane of the Encinal, Texas CBP checkpoint on June 27, 2022, from 2 p.m. to 4 p.m. (Case number CBP-2022-099283)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. U.S. Department of Homeland (DHS) (19-cv-03438)*, plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining to policies, guidelines, and communications relating to the screening, inspection, or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On

November 30, 2022, U.S. Customs and Border Protection (CBP) released its twenty-sixth interim response, consisting of 725 pages of records to the plaintiff.

- In the matter of *American Immigration Council v. U.S. Customs and Border Protection (CBP) and U.S. Department of Homeland Security (DHS) (21-cv-03314)*, plaintiff filed a FOIA request on July 29, 2021, seeking records pertaining to CBP's implementation of the mobile application CBP One. Plaintiff filed suit on December 20, 2021, claiming injunctive relief. On December 1, 2022, U.S. Customs and Border Protection (CBP) issued its fifth interim response, consisting of 137 pages of records to the plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01188)* plaintiff filed a FOIA request on July 6, 2020, seeking records pertaining to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management (ICM). On December 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 2,804 pages of records.
- In the matter of *National Immigration Litigation Alliance v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-11331)*, plaintiff filed a FOIA request on May 28, 2022, seeking records pertaining to the removal of withholding and CAT grantees to non-designated countries. On December 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 192 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02632)*, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI including purchase records, sole source letters or justifications, and grant applications. On December 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 4 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to data related to administrative arrest warrants and administrative subpoenas. On December 2, 2022, U.S. Immigration and Customs Enforcement (ICE) released 546 pages of records to the plaintiff.
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention at the center. On December 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 618 pages of records to the plaintiff.
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) (21-cv-08440) (2022-HQLI-00004)*, the plaintiff filed three FOIA requests on April and June 2021 seeking records pertaining to the removals of Cameroonian and other African migrants, from August 1, 2020, to

January 19, 2021, and ICE deportations of Cameroonian and other African migrants, from August 1, 2020, to February 26, 2021. On December 5, 2022, the U.S. Department of Homeland Security (DHS) released 21 pages of records to the plaintiff. Of the 21 pages, nine pages are released in full, while 12 pages are withheld in part pursuant to FOIA exemptions 5, 6, and 7(C).

- In the matter of *Americans for Prosperity Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-02015) (2022-HQLI-00047)*, plaintiff filed a FOIA request on May 5, 2022, seeking records pertaining to the formation of the Disinformation Governance Board. On December 5, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 276 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5, 6, and 7(E).
- In the matter of *Justice Action Center and Immigrant Defenders Law Center v. U.S. Department of Homeland Security (DHS) (21-cv-07592)* plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to the government processes concerning minor children accompanied by a non-parent relative. Plaintiff filed suit on September 22, 2021, claiming injunctive relief. On December 6, 2022, U.S. Customs and Border Protection (CBP) issued its sixth response consisting of 339 pages of records to the plaintiff.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE)(18-cv-01501)*, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On December 7, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3 pages of records to the plaintiff.
- In the matter of *Buzzfeed v. U.S. Department of Homeland Security (DHS) (19-cv-03295)*, plaintiff filed FOIA requests on August 1, 2018, and August 3, 2018, seeking records pertaining to ICE's use of the Risk Clarification Assessment (RCA). On December 7, 2022, U.S. Immigration and Customs Enforcement (ICE) released 23 pages of records to the plaintiff.
- In the matter of *EPIC v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00762)*, plaintiff filed a FOIA request on December 3, 2021, seeking records pertaining to ICE's communications and contracts with ShadowDragon and ICE's use of SocialNet; records related to ICE's communications and contracts with Babel Street's software and use of location data. On December 7, 2022, U.S. Immigration and Customs Enforcement (ICE) released 285 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
December 8, 2022- December 14, 2022  
DHS Privacy Office  
December 19, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On December 6, 2022, **Maxine Doogan**, a representative of **ESPLER Project, Inc.** in Boston, Massachusetts, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to email communications referencing the Nationwide Suspicious Activity Reporting (SAR) and Initiative (NSI) program from January 2, 2020, through December 6, 2022. (2023-FLETC-FO-00035)
- On, December 6, 2022, **Maxine Doogan**, a representative of **ESPLER Project, Inc.** in Boston, Massachusetts, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to the process of developing the U.S. Department of Justice (DOJ) Human Trafficking Victim Screening Protocol. (2023-FLETC-FO-00036)
- On December 8, 2022, **Morgan Yardis** a representative of *Protect the Public's Trust* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to documents from the Office of the General Counsel and from the agency Chief of Staff of approvals for outside activity awarded to political appointees from January 20, 2021, through the present. (Case Number 2023-HQFO-00437)
- On December 8, 2022, **Juliet Linderman**, a representative of *The Associated Press* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to correspondences between Scott Erickson, Chris Cronen, and Haris Tarin and several government officials listed in the request that mention the following words: “Orphan”, “baby”, “child”, “toddler”, “girl”, “adopt”, “custody”, “Pashto translator”, “Pence”, “Liberty Counsel”. (Case Number: 2023-HQFO-00436)
- On December 8, 2022, **Robert Brown**, a representative of *Muckrock News* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Nike, Adidas, or Puma products imported into the United States from China that were found to be in violation of the Uyghur Forced Labor Prevention Act. (Case number CBP-FO-2023-019116)

- On December 9, 2022, **Sean Dunagan** a representative of *Judicial Watch* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to email communications related to the work of the Election Integrity Partnership sent via the Atlassian Jira platform between any official or employee of the Cybersecurity and Information Security Agency and employees of the following: The Election Integrity Partnership, The University of Washington's Center for an Informed Public, Stanford University's Internet Observatory, The Center for Internet Security, The Elections Infrastructure Information Sharing & Analysis Center, The National Association of Secretaries of State, The National Association of State Election Directors, Graphika, and The Atlantic Council's Digital Forensics Research Laboratory. (Case Number 2023-HQFO-00446)
- On December 9, 2022, **Mason Kortz**, a representative of **Harvard Law School Cyberlaw Clinic** in Cambridge, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to data from the "CBP One" mobile application concerning automated decision-making, profiling, and registering people on the move. (Case number CBP-FO-2023-019338)
- On December 9, 2022, **Virginia Allen**, a representative of *The Daily Signal* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the countries of origin for single adults encountered at the United States southern border in the Del Rio Sector for the 2022 fiscal year. (Case number CBP-FO-2023-019464)
- On December 12, 2022, **Tanvi Misra**, a representative of *Type Investigations* in Woodside, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Tucson sector Arizona Air Traffic Control Center 911 intake forms with information from migrants who have sought rescue in the fiscal year 2022. (Case number CBP-FO-2023-019739)
- On December 13, 2022, **Sean Dunagan**, a representative of *Judicial Watch* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the actual or proposed deployment of Federal Air Marshals to the Southwest border region to assist with immigration enforcement from January 1, 2022, to the present. (Case number CBP-FO-2023-020088)
- On December 13, 2022, **Sean Dunagan** a representative of *Judicial Watch* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the actual or proposed deployment of Federal Air Marshals to the Southwest border region to assist with immigration enforcement from January 1, 2022, to the present. (Case Number 2023-HQFO-00463)
- On December 13, 2022, **Elizabeth Rosales**, a private individual in Tijuana, Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to the information on Mexican authorities working with Customs and Border Protection to identify cases of forced labor. (Case number CBP-FO-2023-020222)
- On December 13, 2022, **Sean Dungan**, a representative of *Judicial Watch* in Washington, D.C., requested from the Transportation Security Administration (TSA)

records pertaining to the actual or proposed deployment of Federal Air Marshals to the Southwest border region to assist with immigration enforcement, immigrant and refugee processing, or similar functions. (Case Number 2023-TSFO-00221)

- On December 14, 2022, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Office of Inspector General (OIG) records pertaining to each DHS OIG Investigative Report issued on March 4, 2022, concerning the DHS Office of Intelligence and Analysis including each exhibit associated with mentioned reports. (Case Number 2023-IGFO-00322)
- On December 14, 2022, **Sean Dunagan** a representative of *Judicial Watch* in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to correspondences and meeting notes between any official or employee of DHS and Twitter employees between June 1, 2020, through the present. (Case Number 2023-HQFO-00478)

#### **Late Requests:**

- On December 7, 2022, **Jackie Botts**, a representative of *Reuters News* in Mexico City, Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to the dataset for all Customs and Border Protection Southwest Land Border Office of Field Operation drug seizure incidents that occurred from June 1, 2022, through December 31, 2022. (Case number CBP-FO-2023-018546)
- On December 7, 2022, **Robert Brown**, a representative of *Muckrock* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Trans-Atlantic Slave Trade voyages to and from United States ports between 1513 to 1866. (Case number CBP-FO-2023-018644)
- On December 7, 2022, **Andrew Free**, a representative of *Muckrock* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Title 42 exemption applications submitted through the “CBP One” mobile application. (Case number CBP-FO-2023-018650)

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

- On December 8, 2022, U.S. Customs and Border Protection (CBP) released to **Annie Ma**, a representative of *Mother Jones Magazine* in San Francisco, California, 16 pages of records pertaining to correspondences between CBP and Senator Kristen Gillibrand. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2019-042463)
- On December 8, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Nate Jones**, a representative of *The Washington Post* in Washington, D.C., 24 pages of records pertaining to email communications between CDC Director Robert Redfield, Joseph Grogan, and Deborah Birx from April 10, 2020, through the present. (Case Number 2022-HQFO-00544)

- On December 8, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Jesse Storey**, a private individual in Arlington, Virginia, 217 pages of records pertaining to DHS reports to Congress since January 1, 2015, that address cybersecurity positions and the list of cybersecurity workforce positions identified in the National Cybersecurity Workforce Measurement Initiative. These records were released in full. (Case Number 2017-NPFO-00576)
- On, December 8, 2022, the Federal Law Enforcement Training Center (FLETC) released to **Maxine Doogan**, a representative of **ESPLER Project, Inc.** in Boston, Massachusetts, a no records response regarding her request for records pertaining to the process of developing the DOJ Human Trafficking Victim Screening Protocol. (Case Number 2023-FLETC-FO-00036)
- On December 9, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Courtney Rozen**, a representative of **Bloomberg Government** in Arlington, Virginia, 22 pages of records pertaining to email communications between DHS Officials mentioning the following words: “Roe v. Wade”, “Dobbs v. Jackson”, “Women’s Health Organization”, “leak”, “pregnant”, “abortion”, “rape”, “incest”, or “reproductive healthcare”, from May 2, 2022, to June 25, 2022. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2022-HQFO-01658)
- On December 9, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Mehreen Rasheed**, a representative of **American Oversight** in Washington, D.C., 7 pages of records pertaining to correspondences sent or received by DHS officials (listed in the request) using the following keywords: “Ginni Thomas”, “Justice Thomas”, “Clarence Thomas”, “Clanton”, “Groundswell”, “Liberty Consulting”, “CNP Action”, “Council for National Policy”, “Conservative Action Project”, “United in Purpose”, UIP”, Ziklag”, “Third Century Group”. Portions of this release will be withheld pursuant to FOIA Exemption 6. (Case Number 2022-HQFO-00877)
- On December 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Clark**, a representative of **NOLA Media Group** in New Orleans, Louisiana, 198 pages of records pertaining to the intergovernmental agreement between ICE and the Town of Richwood in Louisiana, to house federal immigration detainees in the River Correctional Center. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number 2019-ICFO-37341)
- On December 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Clark**, a representative of **NOLA Media Group** in New Orleans, Louisiana, 168 pages of records pertaining to the intergovernmental agreement between ICE and Jackson Parish Sheriff’s Office regarding the use of the Jackson Parish Correctional Center as an immigration detention facility starting in 2019. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number 2019-ICFO-37410)



- On December 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Rivero**, a representative of *WLRN News* in Miami, Florida, 58 pages of records pertaining to Congressional correspondences with the following reference numbers as noted in the DHS Congressional Correspondence Logs (see the request for reference numbers). Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2019-ICFO-39158)
- On December 12, 2022, U.S. Customs and Border Protection (CBP) released to **Mary Hall**, a representative of *NewsNation* in Chicago, Illinois, a one-page record pertaining to patient encounter statistics, as it relates to U.S.-Mexico border crossings and migrant outcomes. This record was released in full. (Case number CBP-2022-107361)
- On December 13, 2022, **Alec Ferretti**, a private individual in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications sent by or to Tammy Meckley from January 1, 2020, through the present which contains the word "historical." (Case Number COW 2022-006263)
- On December 13, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Aaron Lackowski**, a private individual in Burlington, Vermont, 4 pages of records pertaining to an agreement between DHS and Mexico from 2006. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2022-HQFO-01511)
- On December 13, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Jonathan Katz**, a private individual in Durham, North Carolina, 138 pages of records pertaining to the restoration, transmission, and distribution of electric power in Puerto Rico in the aftermath of Hurricanes Irma and Maria. Portions of this release were withheld pursuant to FOIA Exemptions 6. (Case Number 2021-HQFO-00203)
- On December 13, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Steve Gregory**, a representative of *iHeartMEDIA/KFI-AM* in Los Angeles, California, 311 pages of records pertaining to all Significant Enforcement Action Reports/Summaries, all Egregious Cases Reports/Summaries and the total number of removal detainees denied for the following counties in California. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-37605)
- On December 13, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Elizabeth Cogger**, a representative of *Washington County* in Fayetteville, Arkansas, 70 pages of records pertaining to correspondences and communications involving Sheriff Tim Helder of Washington County, Arkansas, and/or any of his employees acting on his behalf, which relates to the Memorandum of Agreement entered into by Washington County Sheriff's Office and signed by Sheriff Tim Helder. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-42978)
- On December 13, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Anthony Pacheco**, a representative of *Vedder Price* in Los Angeles, California, 44 pages of records pertaining to information provided by SEVP/ICE to Senator Charles

E. Grassley or the United States Senate Committee on the Judiciary, either directly or through another federal agency, in response to Senator Grassley's March 22, 2018, letter to Kirstien Nielsen, requesting information regarding DHS, ICE, and SEVP's oversight of Designated School Officials at certain private institutions of higher education, including Northwestern Polytechnic University. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-42214)

- On December 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Cindy Nesbit**, a representative of *The Sikh Coalition* in New York, New York, 895 pages of records pertaining to a list of rule violations that could subject a detainee to discipline while being held at an ICE detention facility and the type of penalty prescribed for each violation. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-42693)

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

- Nothing significant to report.

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

- Nothing significant to report.

#### **VI. Litigation**

- *Citizens For Responsibility and Ethics in Washington v. U.S. Immigration and Customs Enforcement, U.S. District Court For The District of Columbia* – On June 17, 2022, Plaintiffs submitted a FOIA request to ICE seeking any and all communications, contracts or other agreements from January 20, 2021, to the present between ICE OAQ, GEO Group, and CoreCivic as well as all records and communications pertaining to President Biden's Executive Order on eliminating the use of private detention facilities. The plaintiffs filed a complaint on November 16, 2022, alleging ICE failed to meet the FOIA statutory deadline and provide any responsive records. The ICE FOIA Litigation team is working with OPLA on search taskings to gather and produce responsive records.
- *American Civil Liberties Union Foundation of Northern California v. U.S. Immigration and Customs Enforcement, U.S. District Court, Northern District of California, San Francisco Division* – On September 26, 2022, Plaintiffs submitted a FOIA request to ICE seeking all template forms used by inspection officials in conducting ICE detention facility inspections, all inspection template forms provided by ICE to contractor organization Nakamoto and all inspection template forms from Nakamoto to ICE used by inspection officials in conducting ICE detention facility inspections. The plaintiffs filed a complaint on November 30, 2022, alleging ICE failed to meet the FOIA statutory deadline and provide any responsive records. The ICE

FOIA Litigation team is working with OPLA on search taskings to gather and produce responsive records.

- ***Centers for Immigration Studies v. U.S. Immigration and Customs Enforcement, U.S. District Court For The District of Columbia*** – On February 21, 2022, the Plaintiffs submitted a FOIA request to ICE seeking all communications and records sent or received by any person in Enforcement and Removal Operations at ICE Headquarters, to include any person in the Law Enforcement Systems and Analysis (LESA) Division, any person in the Office of the Deputy Director and any person in the Office of the Director regarding the U.S. Immigration and Customs Enforcement Fiscal Year 2021 Enforcement and Removal Operations Report. Communications should include those sent or received by those who are currently working in these offices, and also include those who were previously working in these offices but are no longer working in these offices such as Tim Perry. The plaintiffs filed a complaint on November 2, 2022, alleging ICE failed to meet the FOIA statutory deadline and provide any responsive records. The ICE FOIA Litigation team is working with OPLA on search taskings to gather and produce responsive records.
- In the matter of ***Knight First Amendment Institute at Columbia University v. U.S. Department of Homeland Security (DHS) (17-cv-07572)***, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to new vetting policies; including the government’s understanding of its authority to base immigration decisions on individuals’ speech, beliefs, or associations. On December 8, 2022, U.S. Immigrations and Customs Enforcement (ICE) released 269 pages of records to the plaintiff.
- In the matter of ***The University of Washington v. U.S. Department of Homeland Security (DHS) (22-cv-01329)***, plaintiff filed a FOIA request on December 6, 2021, seeking records pertaining to digital copies of the drafts of Form I-213 and Form I-247 for all apprehensions in the Seattle Area of Responsibility from April 1, 2020, through November 30, 2021. On December 8, 2022, U.S. Immigration and Customs Enforcement (ICE) released 18 pages of records to the plaintiff.
- In the matter of ***The Brennan Center for Justice at New York University School of Law v. U.S. Department of Homeland Security (DHS) (22-cv-07038)***, plaintiff filed a FOIA request on December 7, 2021, seeking records pertaining to the use of third-party providers for social media monitoring operations. On December 9, 2022, U.S. Immigration and Customs Enforcement (ICE) released 510 pages of records to the plaintiff.
- In the matter of ***Jacqueline Stevens v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-05072)***, plaintiff filed a FOIA request on June 22, 2021, seeking records pertaining to Miguel Guzman Silvestre. On December 9, 2022, U.S. Immigration and Customs Enforcement released 373 pages of records to the plaintiff.
- In the matter of ***Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (20- cv-02348)***, plaintiff filed a FOIA request on September 25, 2019, seeking records pertaining to instructional guidance, and training materials given to asylum officers at the Arlington, Virginia, asylum office, from January 1,

2020, through the present. On December 9, 2022, U.S. Immigration and Citizenship Services (USCIS) released 2,685 pages of records to the plaintiff.

- In the matter of *Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (20-cv-02348)*, plaintiff filed a FOIA request on April 29, 2020, seeking records pertaining to field training for staff at the Newark Asylum Office. On December 9, 2022, U.S. Immigration and Citizenship Services (USCIS) released 1,401 pages of records to the plaintiff.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement (ICE) (21-cv-03462)*, plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to documents that describe ICE's policies and procedures (including training manuals, rules, guidelines, court rulings, administrative rulings, etc.). On December 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released 6,294 pages of records to the plaintiff.
- In the matter of *American First Legal Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-02168)*, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to written reports referred to in a memorandum from Tae D. Johnson to "All ICE Employees". On December 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released a one-page record to the plaintiff.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) (21-cv-09208)*, plaintiff filed a FOIA request on December 14, 2021, seeking records pertaining to weekly reports ICE field offices are required to provide to the Office of the Director, the Office of the Deputy Director, and the Office of Policy and Planning (OPP) pursuant to the Johnson memorandum, which set forth guidance implementing the Pecoske memorandum. On December 12, 2022, U.S. Immigration and Customs Enforcement (ICE) released a one-page record to the plaintiff.
- In the matter of *Louise Trauma Center v. Chad E. Wolf and U.S. Department of Homeland Security (DHS) (22-cv-01917)*, plaintiff filed a FOIA request on November 3, 2020, seeking records pertaining to a copy of USCIS' Functional Profiles document. On December 13, 2022, U.S. Immigration and Citizenship Services (USCIS) released 5 pages of record to the plaintiff
- In the matter of *Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and Envision Freedom Fund v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-02885)*, plaintiff filed a FOIA request on January 18, 2022, pertaining to records prepared, received, transmitted, collected, and/or maintained by ICE generated on or after October 1, 2015, regarding policies, guidelines, or procedures relating to immigration bonds. On December 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 208 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells



**Freedom of Information Act (FOIA) Activity for the Week of  
December 15, 2022- December 21, 2022  
DHS Privacy Office  
December 27, 2022  
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:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On December 15, 2022, **Matthew Van De Velde**, a private individual, requested from the Office of Inspector General (OIG) records pertaining to a Yahoo News article concerning an unredacted copy of a March 2022 DHS Office of Inspector General report and underlying materials, including the four-page letter written by the intelligence analyst who warned of the January 6 U.S. Capitol attack. (Case Number 2023-IGFO-00326)
- On December 15, 2022, **John Kropf**, a private individual in Arlington, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Country Agency Agreements or Arrangements with DHS regarding the DHS International Biometric Information Sharing (IBIS) Program. (Case Number 2023-HQFO-00480)
- On December 16, 2022, **Julienne McClure**, a representative of the **Project on Government Oversight** in Washington D.C., requested from the Office of Inspector General (OIG) records pertaining to a Report of Investigation (ROI) resulting from CBP's use of force on May 28, 2010, including any recommendations for disciplinary action that OIG submitted to CBP HRM-related to this incident. (Case Number 2023-IGFO-00340)
- On December 16, 2022, **Joe Garcia**, a representative of **TGE Resources, Inc.** in Houston, Texas, requested from the United States Coast Guard (USCG) records pertaining to records related to a diesel spill in Houston, Texas. (Case Number 2023-CGFO-00458)
- On December 16, 2022, **Jane Kleeb**, a representative of **Bold Alliance** in Hastings, Nebraska, requested from the United States Coast Guard (USCG) records pertaining to the information on TC Energy's submission for the latest oil and tar sands on the Nebraska and Kansas border for the Keystone pipeline. (Case Number 2023-CGFO-00461)
- On December 16, 2022, **Kelsey Raymond**, a representative of the **ACLU** in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to formal or informal policies, procedures, bulletins, legal or policy memoranda, communications, training materials, contract

bids or solicitations, and requests for information (RFI) pertaining to the MOC and immigration detention at Guantánamo. (Case Number 2023-HQFO-00503)

- On December 16, 2022, **Andrew Lehren** a representative of *NBC News* in South Orange, New Jersey, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the National Flood Insurance Program's Repetitive Loss Master File. (Case Number 2023-FEFO-00213)
- On December 16, 2022, **Susan Long**, a representative of **Transactional Records Access Clearinghouse** in Syracuse, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to case-by-case data on Border Patrol exclusions under Title 42 from June 1, 2022, to present. (Case number CBP-FO-2023-021056)
- On December 19, 2022, **Max Chesnes**, a representative of *Tampa Bay Times* in Tampa Bay, Florida, requested from the United States Coast Guard (USCG) records pertaining to the latitude and longitude coordinates for all potential pollution targets identified by the USCG and the National Oceanic and Atmospheric Administration (NOAA) in the wake of Hurricane Ian. (Case Number 2023-CGFO-00480)

#### **Late Requests:**

- On December 6, 2022, **Maxine Doogan** a representative of *ESPLER Project, Inc./ MuckRock News* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to communications containing the exact phrase "human trafficking", "sex trafficking", "prostitution", "commercial sex", "sex buyer", "trafficking demand", and "demand reduction" along with any associated metadata. (Case Number 2023-ICFO-05856)
- On December 12, 2022, **Craig Cheatham** a representative of *WCPO-TV* in Cincinnati, Ohio, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to personnel records for former ICE detention officer Andrew Golobic. (Case Number 2023-ICFO-06478)
- On December 14, 2022, **Ashley Riveira**, a representative of **Crowell & Moring LLP** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between CBP and the Executive Office of the President related to the construction, operation, maintenance and revocation of the XL Pipeline Project in Phillips County, Montana from May 1, 2020, to January 20, 2021. (Case number CBP-FO-2023-020577)

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

- On December 15, 2022, U.S. Customs and Border Protection (CBP) issued a full denial to **Robert Brown**, a representative of *MuckRock News*, in Boston, Massachusetts, regarding his request for records pertaining to the Trans-Atlantic Slave Trade voyages to and from United States ports between 1513 to 1866. There are no responsive records. (Case Number CBP-FO-2023-018644)



- On December 15, 2022, U.S. Customs and Border Protection (CBP) issued a full denial to **Elizabeth Rosales**, a private individual in Tijuana, Mexico, regarding her request for the investigative files of the Withhold Release Order (WHO) issued against Agropecuario Tom S.A. de C.V. and their subsidiaries. All records are withheld in full pursuant to FOIA Exemption 7(A). (Case Number CBP-FO-2023-020222)
- On December 15, 2022, the Cybersecurity and Infrastructure Security Agency (CISA) released to **Aaron Schaffer**, a representative of the *Washington Post* in Washington, D.C., a 1-page record pertaining to the Cybersecurity and Infrastructure Security Agency (CISA) Office of the Chief External Affairs 2022 Strategic Communication Plan. A portion of this release will be withheld pursuant to FOIA Exemption 5. (Case Number 2022-NPFO-00012)
- On December 19, 2022, U.S. Customs and Border Protection (CBP) released to **William Melugin**, a representative of *FOX News* in Los Angeles, California, a 1-page record pertaining to statistics of gotaways from January 1, 2021, to December 31, 2021, for the San Diego, El Centro, Yuma, Tucson, El Paso, Big Bend, Del Rio, Laredo, and Rio Grande Valley Sectors. This record was released in full. (Case number CBP-2022-066878)
- On December 19, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office will release to **Catherine Barufaldi**, a private individual in Chatam, New York, 8 pages of records pertaining to the killing of a dog in Brooklyn, New York by a Secret Service agent. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2023-HQFO-000209)
- On December 20, 2022, U.S. Customs and Border Protection (CBP) released to **Molly Rokosz**, a representative of *MuckRock News* in Somerville, Massachusetts, 11 pages of records pertaining to after-action reports created in 2017 at the conclusion of a pilot program in which CBP's El Paso Sector separated migrant families to prosecute adult family members. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2022-072755)
- On December 20, 2022, U.S. Customs and Border Protection (CBP) issued a full denial to **Robert Brown**, a representative of *MuckRock News*, in Boston, Massachusetts, regarding his request for records pertaining to import records from Nike, Adidas and Puma in violation of the Uyghur Forced Labor Prevention Act. All records are withheld in full pursuant to FOIA Exemption 4 and 7(E). (Case Number CBP-FO-2023-019116)
- On December 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Freddie Monares**, a representative of *The Bozeman Daily Chronicle* in Bozeman, Montana, 23 pages of records pertaining to arrest records from January 1, 2014, to June 26, 2019, at several Montana Amtrak Stations. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICFO-45110)

- On December 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Eric Dexheimer**, a representative of *Houston Chronicle* in Houston, Texas 185 pages of records pertaining to the investigation, arrest, and prosecution of Lance Esswein for federal narcotics and weapons violations. Portions of the release were withheld pursuant to FOIA Exemption 6(C), 7(C), and 7(E). (Case Number ICE 2022-ICFO-16500)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- *Charles Wesley Hall v. U.S. Immigration and Customs Enforcement, U.S. District Court for The Middle District of Tennessee* – On June 29, 2021, Plaintiffs submitted a FOIA requests to ICE seeking the deportation status of Josef I. Alvarado. The plaintiffs filed a complaint on December 12, 2022, alleging ICE failed to meet the FOIA statutory deadline and provide any responsive records. Prior to receiving this complaint, ICE FOIA and OPLA GILD gather and produce responsive records under ICE FOIA Case Number 2023-ICFO-02500.
- In the matter of *ACLU Michigan v. U.S. Department of Homeland Security (DHS) (19-cv-03489)*, plaintiff filed a FOIA request on June 22, 2017, seeking records pertaining documents that were prepared, received, transmitted, collected and/or maintained by U.S. Immigration and Customs Enforcement (ICE), that describe, refer or relate to Jilmar Ramos-Gomez. On December 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 479 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-07727) (2022-HQLI-00040)* plaintiff filed a FOIA request on April 7, 2022, seeking records pertaining to CP3, risk factors of targeted violence, tools to address radicalization to violence, agency response to targeted violence; associated civil rights, liberties, and privacy safeguards. On December 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 162 pages of records to the plaintiff.
- In the matter of *Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)*, the plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to emails sent or received by U.S. Citizenship and Immigration Services (USCIS) Ombudsman Julie Kirchner, including to and from her non-DHS email account; all meeting notes, minutes and summaries prepared by or for Ms. Kirchner; and her calendar, appointment book, and phone call log. On December 15, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 296 pages of records to the plaintiff.

- In the matter of *ACLU of Massachusetts v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-10761)*, plaintiff filed a FOIA request on November 18, 2019, seeking records pertaining to the investigation and Federal Indictment of Judge Shelley M. Richmond Joseph and Massachusetts Court Officer Wesley MacGregor. On December 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 388 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (21-cv-01171)*, plaintiff filed a FOIA request on July 16, 2021, seeking records pertaining to final talking points prepared for Secretary Nielsen regarding the MPP and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana and the expansion of the protocol to additional ports of entry. On December 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 227 pages of records to the plaintiff.
- In the matter of *Ahmad Omar & National Public Radio, Inc. v. U.S. Department of Homeland Security (DHS) (21-cv-09928)*, plaintiff filed a FOIA request on December 27, 2021, seeking records pertaining to DHS detention facility contracts. Specifically, “white papers” produced by local ICE filed offices regarding additional detention space; communications related to the opening of detention facilities at former prisons; and communications related to the contracting process for detention center operators previously found to be deficient. On December 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 826 pages of records to the plaintiff.
- In the matter of *Community Justice Exchange v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-02328)*, plaintiff filed a FOIA request on April 14, 2022, seeking records pertaining to the use of B.I. Incorporated’s SmartLINK Application for the Intensive Supervision Appearance Program (ISAP). On December 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 103 pages of records to the plaintiff.
- In the matter of *Center to Advance Security in America v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-01656)*, plaintiff filed a FOIA request on January 11, 2022, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On December 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 248 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Massachusetts v. U.S. Department of Homeland Security (DHS) (19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, seeking records pertaining to the profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On December 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 47 pages of records to the plaintiff.

- In the matter of the *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to HSI Special Agent Handbooks, memoranda, or training materials issued from January 21, 2017, through the present. On December 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 24 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)*, plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On December 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 12 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Southern California v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-04760)*, plaintiff filed a FOIA request on April 29, 2022, seeking records pertaining to the treatment of hospitalized detainees and detainees released from custody prior to their death. On December 16, 2022, U.S. Immigration and Customs Enforcement (ICE) released 456 pages of records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to contracts, memorandums of understanding, and e-mails associated with the submission, acceptance, and review of detainee health with Kenosha County, Wisconsin for the health care provided to people held under immigration laws. On December 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 452 pages of records to the plaintiff.
- In the matter of *OCAD, IDP, and CCR v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE’s decision to expend resources to establish “Citizens Academies”. On December 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 345 pages of records to the plaintiff.
- In the matter of *ACLU v. U.S. Department of Homeland Security (DHS) (22-cv-02937)*, plaintiff filed a FOIA request on December 17, 2021, seeking records pertaining to access-to-counsel policies in immigration detention facilities and deficiencies in particular facilities’ compliance with those policies. On December 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,067 pages of records and 5 Excel Spreadsheets to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Justice (DOJ) et al (20-cv-02153)*, plaintiff filed a complaint on October 8, 2020, seeking records pertaining to all protest response directives and guidance drafted, revised, finalized, or distributed from May 25, 2020, through October 20, 2020. On December 19, 2022, U.S. Customs and Border Protection (CBP) issued the ninth interim release, consisting of 251 pages of records to the plaintiff.

- In the matter of *Reed Smith LLP v. U.S. Customs and Border Protection (CBP) (21-cv-01701)*, plaintiff filed a FOIA request on April 16, 2021, seeking records pertaining to United States Border Patrol transportation checks in or around Spokane, Washington. Plaintiff filed suit on June 24, 2021, claiming declaratory and injunctive relief. On December 19, 2022, U.S. Customs and Border Protection (CBP) released its twelfth interim response, consisting of 173 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)(20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) related to the death of Anthony Jones aka Henry Missick. On December 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 391 pages of records to the plaintiff.
- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to quarterly operational summary Safety Reports filed by contractors working with Ice Air Operations (IAO) from 2003 to the present and all records related to alleged misconduct by IAO employees between 2003 and the present. On December 21, 2022, U.S. Immigration and Customs Enforcement (ICE) released 135 pages of records to the plaintiff.
- In the matter of the *American Accountability Foundation v. the U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) (22-cv-00880) (2022-HQLI-00035)*, plaintiff filed a FOIA request on April 27, 2021, seeking records pertaining to emails with or mentioning Chip Fulghum, Andrew Lorenzen-Strait, Connie LaRossa, Tony Essalih, Susan Sweat, John Crumbliss, Anthony Lazarski, Cornerstone Government Affairs, Endeavors, Lorenzen-Strait Consulting Services, @cgagroup.com, and @endeavors.org. On December 21, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 28 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5 and 6.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
December 22, 2022- December 28, 2022  
DHS Privacy Office  
January 3, 2022  
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:
- Nothing significant to report.
- II. Freedom of Information Act Requests**
- On December 27, 2022, **Alain Vartanian**, a representative of *Growlogics Media* in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to import and export records, including title names, “bill of lading” or “shipping manifests.” (Case number CBP-FO-2023-023405)
  - On December 27, 2022, **Dave Cullinane**, a representative of *Barstool Sports* in Walpole, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to the employment history of William Farwell. (Case Number 2023-TSFO-00241)
  - On December 27, 2022, **Aaron West**, a private individual in Portland, Oregon, requested from the Transportation Security Administration (TSA) records pertaining to a firearm that was discovered in a jar of peanut butter at baggage screening at JFK Airport in 2022. (Case Number 2023-TSFO-00242)
  - On December 28, 2022, **Hayley Fox**, a representative of **Western Sound** in Los Angeles, California, requested from the United States Coast Guard (USCG) records pertaining to audio or video recordings between April 19 and April 30, 2010, related to Deepwater Horizon, Transocean, or B.P. (Case Number 2023-CGFO-00514)
  - On December 28, 2022, **Reed Rubinstein**, a representative of **America First Legal Foundation** in Washington, D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the email history of Jim Clapper and Mike Hayden, the first two signatories to a Public Statement on the Hunter-Biden Emails. (Case Number 2023-HQFO-00545)
  - On December 28, 2022, **Andrew Free**, a representative of *MuckRock News* in Boston, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to contracting documents evidencing ICE’s transfer of technological responsibility to private contractor Deloitte for handling Freedom of Information Act Requests, including any Quality Assurance Surveillance Plan, Statement of Work, Performance Work Statement, or other similar document outlining the responsibilities Deloitte has accepted with respect to processing FOIA requests. (Case Number 2023-HQFO-00552)

- On December 28, 2022, **Mark Tapscott** with *The Epoch Times* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to a listing of participants in attendance of the December 2, 2022, Alternatives to Detention (ATD) symposium. (Case Number 2023-ICFO-08104)

**Late Requests:**

- On November 28, 2022, **Marcia Robiou**, a representative of *WGBH* in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the prosecutorial discretion for U.S. Department of Labor witnesses. (Case Number 2023-ICFO-08067)
- On December 16, 2022, **Susan B. Long**, a representative of **Syracuse University's Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to case-by-case records on credible fear and reasonable fear cases from November 1, 2021, through November 30, 2022. (Case Number COW 2022-006328)
- On December 16, 2022, **Kelsey Raymond**, a representative with the **American Civil Liberties Union (ACLU)** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the detention of migrants at the Migrant Operations Center at the United States Naval Station in Guantanamo Bay, Cuba. (Case Number COW 2022-006335)
- On December 16, 2022, **Audrey Ash**, a representative of *CNN* in Atlanta, Georgia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to any and all civil surgeons who have had their designation with USCIS revoked for the time period of January 1, 1990, through December 15, 2022. (Case Number COW 2022-006341)
- On September 17, 2022, **David Bixenspan**, a representative of *MEL Magazine* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of the late professional wrestler Adam Windsor. (Case Number COW 2022-004619)
- On September 17, 2022, **David Bixenspan**, a representative of *MEL Magazine* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the Alien File of the late professional wrestler Jose William Alfred Robinson, better known as Billy Robinson. (Case Number COW 2022-004621)
- On December 14, 2022, **Arjun Singh**, a representative of *The Daily Caller* in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the U.S. Citizenship Test. (Case Number COW 2022-006286)



### III. Freedom of Information Act Releases

- On December 15, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **David Jones**, a representative of *The Real Deal*, in New York, New York, 1,683 pages of records pertaining to Notices of Intent to Terminate as related to the Immigrant Investor Program from January 1, 2017, through May 2, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 4, and 6. (Case Number COW 2018-000541)
- On December 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Sharvari Dalal-Dheini**, a representative of **American Immigration Lawyers Association** in Washington, D.C., 681 pages of records pertaining to expanded in-person interview requirements for employment-based adjustments. Portions of the release were withheld pursuant to FOIA Exemptions 5, 7(C), and 7(E). (Case Number USCIS COW 2018-000096)
- On December 22, 2022, the Department of Homeland Security (DHS) Privacy Office released to **Dana Quinn**, a private individual in Folkston, Georgia, 14 pages of records pertaining to a copy of the letter delegating authorities to the Components for Human Capital and Human Resources. Portions of this release will be withheld pursuant to FOIA Exemption 6. (Case Number 2022-HQFO-02002).
- On December 22, 2022, U.S. Customs and Border Protection (CBP) released to **Patrick Eddington**, a representative of *Cato Institute* in Annandale, Virginia, 121 pages of records pertaining to Jones Act Division of Enforcement (JADE) enforcement actions. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case number CBP-FO-2023-011492)
- On December 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Mehreen Rasheed**, a representative of *American Oversight* in Washington, D.C., 777 pages of records pertaining to policies or protocols for screening, testing, and treating detainees for the infectious diseases at U.S. Immigration and Customs Enforcement (ICE) facilities, along with records reflecting any policies or protocols for preventing the spread of the infectious diseases. Portions of the release will be withheld pursuant to FOIA Exemption 6(C), 7(C), and 7(E). (Case Number 2020-ICFO-02603)
- On December 27, 2022, U.S. Customs and Border Protection (CBP) released to **Mark Greenblatt**, a representative of *Scripps Washington Bureau*, in Washington, D.C., 104 pages of records pertaining to CBP employees arrested on criminal charges from October 1, 2017, to present. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP- 2021-042325)
- On December 27, 2022, U.S. Customs and Border Protection (CBP) issued a no-records response to **David McDonald**, a private individual in Montague, Ontario, pertaining to his request for statistics on foreigners refused entry to the U.S. and their connection to marijuana use, addiction or employment in the legal sale of marijuana in Canada from October 17, 2018, to the present. (CBP-FO-2023-007285)

- On December 28, 2022, U.S. Customs and Border Protection (CBP) released to **Julia Lerner**, a representative of *Cascadia Daily News*, in Bellingham, Washington, 116 pages of records pertaining to searches and seizures conducted by the U.S. Border Patrol Blaine Sector between January 1, 2021, and January 3, 2022. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-028939)
- On December 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Christopher M. Pinkerton**, a private individual in Lee's Summit, Missouri, 176 pages of records pertaining to the immigration records of the former Secretary of State, Madeleine Albright also known as Marie Jana Korbelová. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number COW 2022-002527)
- On December 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Alec Ferretti**, a private individual in New York, New York, 78 pages of records pertaining to the Alien File of the late Ivana Marie Trump. Portions of this release were withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number COW 2022-003554)
- On December 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Maria Sacchetti**, a representative of *The Washington Post* in Washington, D.C., 78 pages of records pertaining to the Alien File of the late Ivana Marie Trump. Portions of this release were withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number COW 2022-003964)
- On December 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **David Bixenspan**, a representative of *MEL Magazine* in Brooklyn, New York, 42 pages of records pertaining to the Alien File of the late professional wrestler Seiji Goto, also known as Tarzan Goto. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number COW 2022-004618)
- On December 28, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Jennifer Pasquarella**, a representative of **ACLU of Southern California** in Los Angeles, California, 866 pages of records pertaining to the Alien File of Jimmy Narvaez Rivadeneira. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number NRC 2022-158443)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

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

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS)(21-cv-02328)*, plaintiff

filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On December 15, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,000 pages of records to the plaintiff.

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS), U.S Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), (21-cv-01171)*, plaintiff filed a FOIA request on March 23, 2020, seeking records pertaining to e-mail communications from USCIS Officials regarding Migrant Protection Protocols, and 12 other keywords. On December 15, 2022, U.S. Citizenship and Immigration Services (USCIS) released 477 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, U.S. Department of Homeland Security (DHS) (20-cv-02348)*, plaintiff filed a FOIA request on September 25, 2019, seeking records pertaining to the special training for Iraqi and Syria cases given to Asylum Officers from January 1, 2018, through the present. On December 19, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,109 pages of records to the plaintiff.
- In the matter of *Catholic Legal Immigration Network, Inc v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to the Temporary Protected Status from January 20, 2017, through August 12, 2019. On December 20, 2022, U.S. Citizenship and Immigration Services (USCIS) released 338 pages of records and nine spreadsheets to the plaintiff.
- In the matter of *Louise Trauma Center v. U.S. Department of Homeland Security (DHS) (20- cv-02371)*, plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to distance learning for newly hired asylum officers from January 1, 2020, through the present. On December 22, 2022, U.S. Citizenship and Immigration Services (USCIS) released 144 pages of records to the plaintiff.
- In the matter of *Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-01925)*, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act. On December 23, 2022, U.S. Citizenship and Immigration Services (USCIS) released two pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project v. U.S. Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) (21-cv-09519)*, plaintiff filed a FOIA request on August 20, 2021, seeking records consisting of copies of all USCIS systems, manuals, and policies training materials from January 1, 2016, through the present. On December 27, 2022, USCIS released to the plaintiff 27 pages of records.

- In the matter of *Harvard Immigration and Refugee and Clinical Program v. U.S. Customs and Border Protection (CBP) (22-cv-10301)* plaintiff filed a FOIA request on May 29, 2020, seeking records pertaining to individuals with F-1 student visas who were denied entry and/or deemed inadmissible by CBP at ports of entry. Plaintiff filed suit on February 23, 2022, claiming injunctive relief. On December 27, 2022, U.S. Customs and Border Protection (CBP) issued its fifth interim release, consisting of 355 pages of records to the plaintiff.
- In the matter of the *Yale Law School Center for Global Legal Challenges, an independent center within the Yale Law School Foundation v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)*, plaintiff filed a FOIA request on December 29, 2020, seeking records pertaining to the DHS General Counsel's Office unclassified guidance, policies, directives, rules, or regulations governing the drafting of nonbinding understandings and arrangements with foreign countries or international organizations. On December 27, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 59 pages of records to the plaintiff. Portions of this release are being withheld in full pursuant to FOIA Exemptions 3, 6, and 7 (E).
- In the matter of *Project South and Center for Constitutional Rights v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-08440)*, plaintiff filed a complaint on October 13, 2021, seeking records pertaining to the ICE removals of Cameroonian and other African migrants, from August 1, 2020, to January 19, 2021, and ICE deportations of Cameroonian and other African migrants, from August 1, 2020, to February 26, 2021. On December 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 261 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On December 27, 2022, U.S. Immigration and Customs Enforcement (ICE) released 87 pages of records to the plaintiff.
- In the matter of *RAICES v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00171)*, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to Orlan Ariel Carcamo Navarro, a Honduran asylum seeker detained by ICE at Karnes County Family Residential Center in Karnes City, Texas, until his death on or about March 18, 2020. On December 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released one video clip of 30:01 sec to the plaintiff.

## **Freedom of Information Act Exemptions**

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

**Exemption 2:** internal agency personnel rules and practices

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

**Exemption 4:** trade secrets and other confidential business information

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

**Exemption 6:** information involving matters of personal privacy

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

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

**Exemption 9:** geological information on wells