

# Exhibit C

90 K Street NE  
MS 1181  
Washington, DC 20229

CBP-2019-077960



**U.S. Customs and  
Border Protection**

May 13, 2020

Mr. Jesse Franzblau  
1099 New York Ave, NW Suite 1100  
Washington, DC 20001

Dear Mr. Franzblau:

This is the final response to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP) seeking:

1. Legal guidance for referrals, plea agreements, and sentencing guidelines used by CBP Prosecutions Units or Enforcement Officers as part of Operation Streamline;
2. Communications relating to the decision to restart Operation Streamline prosecutions in San Diego in July 2018, for the first time since 2005;
3. Policy guidance used by CBP Prosecutions Units or Enforcement Officers when making referrals for 8 U.S.C. 1325 prosecutions for individuals who expresses fear of persecution or return to their home country; and
4. Guidance used to determine when U.S. attorneys from CBP Prosecutions Units or Enforcement officers are assigned to prosecute Operation Streamline or 8 U.S.C. § 1325 or 8 U.S.C. § 1326 cases.

We conducted a comprehensive search of files within the CBP databases for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records, based upon the information you provided in your request (keywords, locations, and/or dates).

This completes the CBP response to your request. You may contact CBP's FOIA Public Liaison, Charlyse Hoskins, by sending an email via your FOIAonline account, mailing a letter to 90 K St, NE MS 1181, Washington DC, 20229 or by calling 202-325-0150. The FOIA Public Liaison is able to assist in advising on the requirements for submitting a request, assist with narrowing the scope of a request, assist in reducing delays by advising the requester on the type of records to request, suggesting agency offices that may have responsive records and receive questions or concerns about the agency's FOIA process. Please notate file number CBP-2019-077960 on any future correspondence to CBP related to this request.

If you are not satisfied with the response to this request, you have a right to appeal the final disposition. Should you wish to do so, you must file your appeal within 90 days of the date of this letter following the procedures outlined in the DHS regulations at Title 6 C.F.R. §5.8. Please include as much information as possible to help us understand the grounds for your

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appeal. You should submit your appeal via FOIAonline by clicking on the "Create Appeal" button that appears when you view your initial request. If you do not have computer access, you may send your appeal and a copy of this letter to: FOIA Appeals, Policy and Litigation Branch, U.S. Customs and Border Protection, 90 K Street, NE, 10th Floor, Washington, DC 20229-1177. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia). Additional information can be found at the following link <https://www.cbp.gov/document/guidance/exemption-definitions>.

Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Please note that contacting the CBP FOIA Public Liaison or OGIS **does not** stop the 90-day appeal clock and **is not** a substitute for filing an administrative appeal.

Sincerely,



Miranda D. Oyler

U.S. Customs and Border Protection  
FOIA Division