



U.S. Immigration  
and Customs  
Enforcement

November 15, 2021

Jason Leopold  
BuzzFeed News

**RE: Inadvertent Disclosure of Privileged Records  
ICE FOIA Case Number 2021-ICCO-00140  
DHS FOIA Case Number: 2021-HQLI-00003**

Dear Mr. Leopold:

It has recently come to this office's attention that records containing personally identifiable information of third parties and law enforcement sensitive information were inadvertently released to you in response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) and its component agencies. Your FOIA request dated July 21, 2021 sought all documents and communications from DHS or any component agency of DHS referring or relating to the selection of employees of DHS and component agencies for assignment to Portland, Oregon; all standard operating procedures and/or documents referring or relating to the training provided to all DHS personnel assigned to Portland.

DHS had consulted with U.S. Immigration Custom Enforcement (ICE) regarding these records on May 6, 2021. On November 3, 2021, ICE inadvertently provided you with a highlighted version of these documents. Please be advised that these records are law enforcement sensitive and should have been withheld in part under FOIA Exemptions (b)(5), (b)(6), (b)(7)(C), and (b)(7)(E) as they were compiled for law enforcements purposes pertaining to FOIA litigation captioned: ***Buzzfeed Inc. v. DHS, et. al, Case No. 20-cv-02508-RC.***

Pursuant to Federal Rule of Evidence 502(b), we are hereby notifying you that the records contain law enforcement sensitive information. We request that you return, sequester, or destroy these records, and refrain from using or disclosing the contents of the records. Please note that any further use or disclosure of the information contained in these records could impede or interfere with law enforcement activities and violate the privacy rights and interests of the people whose information is contained in the records. Further, should you perpetuate the use or disclosure of any of this information, you may endanger the persons to whom the information pertains and interfere with ongoing criminal investigations.

Please confirm that you have returned, destroyed or sequestered all copies of the record and provide us with a list of any disclosures that you have made as to the information by **Wednesday, November 17, 2021**. To provide this confirmation and list of disclosures, or if you have any questions, please contact **Molly Kirkland** at [ICEFOIALITIGATION@ice.dhs.gov](mailto:ICEFOIALITIGATION@ice.dhs.gov).

Thank you in advance for your prompt cooperation in this matter.

Sincerely,

Lynnea Schurkamp  
Deputy FOIA Officer  
Fernando Pineiro  
(A) FOIA Officer

(b)(5)

Sir – From the components’ input, here is what DHS has provided around the country to date. Per our 2<sup>nd</sup> call, these bullets supplement the list of available DHS assets submitted in my last email. v/r Chris

**DHS assistance:**

- \* A CBP Unmanned Aircraft System (UAS) flew to Minneapolis, MN to provide live video to law enforcement on the ground (cloudy conditions precluded effective assistance).
- \* On 30 May, CBP AMO assisted the Detroit Police Department with law enforcement surveillance/over-watch using a helicopter and a fixed-wing aircraft.
- □ USSS received an official request for assistance from Director John Harrington, Public Safety Director for MN to assist in the response to the civil unrest and is prepared to assist/act once directives are granted. USSS personnel are currently staffing their MACC to provide technical and intelligence assistance to local and state agencies.
- □ The USSS has enhanced protective shifts of Uniform Division officers at the White House to manage civil disobedience. Ready Reserve shifts have been established to respond in the event additional manpower is required, and additional HQ Special Agents are being coordinated to back up the USSS Uniformed Division.
- \* FPS has been working with state and local officials to protect federal properties and assist as needed. FPS has responded to protect multiple protected facilities around the country during civil disorder and is actively assessing the damage.

**DHS Prepared to assist:**

- □ DHS is prepared to assist DOJ as needed with available ICE personnel (Medics, Rapid Response and Special Response Teams, Special Agents, and Technical Enforcement Officers), TSA Federal Air Marshals / LEOs, Coast Guard Investigative Service (CGIS) agents, and CBP Special Response Team Operators.
- \* OFO Special Response Team operators are prepared for immediate deployment to CBP locations to minimize any potential threat to operations and critical infrastructure.
- □ The USSS continues to coordinate with our NCR law enforcement partners and pass situational awareness to our frontline teams. The USSS is also providing open-source intelligence to our field offices nationwide for situational awareness.
- □ U.S. Border Patrol has placed Mobile Field Forces, Special Operations Groups, BORTAC, BORSTAR, and EMTs on standby to respond to civil disturbances throughout the nation.
- □ CISA PSAs (Protective Security Advisors) are collaborating with state fusion centers and local law enforcement across the country and will continue to work with state and local partners to assess the situation and offer assistance.

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<b>Subject:</b>	(U//FOUO) DHS Component Actions Report Civil Disturbances - Multiple Cities - 31 May 2020 (NOC 0378-20)
<b>Date:</b>	2020/06/01 01:24:35
<b>Priority:</b>	Normal
<b>Type:</b>	Note

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~  
~~DHS INTERNAL USE ONLY~~

**DHS Component Actions Report  
Civil Disturbances – Multiple Cities U.S. (NOC 0378-20)  
2000 ET, 31 May 2020**

Updates in  
Blue  
Reported Once in  
Black

**Executive Summary**

- □ Demonstrations in several U.S. cities continue to be violent and cause widespread disruptions. Components have increased their security posture. Multiple FEMA Regions have relocated or are working remotely. ICE, CBP, and FPS are conducting mutual support of protecting federal property and supporting local law enforcement agencies. No Component has reported a degradation in ability to execute its mission essential functions.
- □ On 30-31 May, USSS personnel were injured and USSS vehicles were damaged during demonstrations at the White House Complex.
  - 20 personnel received minor injuries (additional personnel were exposed to multiple airborne irritants).
  - Two officers were evaluated at a local hospital after sustaining lacerations/injuries from bricks, bottles, and/or other thrown projectiles.
  - Four USSS police cruisers were spray painted and had windows smashed.
  - No serious injuries - everyone accounted for.

## **Federal Emergency Management Agency (FEMA)**

- No changes in operating status or ability to perform mission essential functions, and there are no impacts to personnel.
  - Region II (New York) facility is locked down until 1 Jun (watch and night personnel must coordinate with U.S. Marshals for entry).
  - Region III (Philadelphia) is working from an alternate location through 1 Jun.
  - Region V (Chicago) is working from an alternate location through 2 Jun.
  - Region IX (San Francisco) Regional Response Coordination Center is working remotely
  - FEMA NWC, FEMA FOC, and FAOC report no degradation to mission capability

## **United States Coast Guard (USCG)**

- No degradation to perform mission essential functions or support state, local, tribal, territorial, private-sector or international partners.
- No reports of personnel affected by any incident or event related to a civil disturbance.
- All USCG units are working with local authorities to support mission accomplishment and force protection.
  - District Eleven (D11) units within the Oakland, CA area increased Force Protection Condition.
  - District Thirteen (D13) enacted its Continuity of Operations Plan and moved the D13 Command Center to USCG Base Seattle, further away from downtown area protests.
  - District Nine (D9) is working with the Mayor's office of Cleveland to ensure USCG employees are exempt from the downtown area curfew.
- The commercial building, that houses Marine Safety Unit (MSU) Toledo on the sixth floor, was damaged (windows smashed). One MSU Toledo government vehicle had a window smashed (vehicle relocated to USCG Station Toledo and MSU Toledo personnel will report to work at Station Toledo to assess when they can return to their offices).
- On 30 May, Philadelphia PD requested to park 25 vehicles at Sector Delaware Bay, so officers could be shuttled to locations as needed. Permission was granted and cars were placed on the back pier behind sector buildings to avoid drawing attention. Officers parked without incident. Vehicles were removed by morning. No further support requested.

## **U.S. Customs and Border Protection (CBP)**

- •\* **Office of Field Operations**

- There have been no impacts in OFO's ability to execute or sustain its mission.
- There have been no reports of injured, deceased or displaced OFO employees.
- OFO Special Response Team operators remain on standby and are prepared for immediate deployment to CBP locations to minimize any potential threat to operations and critical infrastructure.
- Port Hardening measures are ready for deployment in the event of an emerging incident.

- •\* **U.S. Border Patrol**

- •\* Sectors are placing personnel, to include Mobile Field Forces, Special Operations Groups, BORTAC, BORSTAR, and EMTs on standby to respond to civil disturbances throughout the nation.
- •\* **San Diego Sector:** USBP Yuma Sector (YUM) supported the Imperial County Sheriff's Office with their request for less lethal munitions. Sector supported San Diego PD's request for the armored BearCat Rescue Vehicle and four (4) agents to extract injured officers from La Mesa, CA.
- •\* **Buffalo Sector:** USBP Special Operations Agents (BORTAC/BORSTAR) from Buffalo Sector (BUN) will augment an HSI SRT Quick Reaction Force, established as a precaution in advance of demonstrations anticipated in downtown Buffalo. Additionally, USBP will provide 4 agents for deployment as crowd control and physical security in and around the Niagara Falls PD Headquarters.
- •\* **Grand Forks Sector:** Border Patrol Agents responded to the Fargo Police EOC to provide crowd control and physical security in civil unrest areas and any other buildings where human life/physical well-being may be threatened (no action taken by USBP agents).
- •\* One agent, conducting perimeter security at the Federal Courthouse in Buffalo NY, sustained minor injuries from a rock thrown by a demonstrator.

## **Air and Marine Operations**

- Operations for the Great Lakes Air and Marine Branch have ceased.
- Yuma Air Branch provided a callout crew (1-hour response) and committed an AS350 helicopter crew to a 1-hour alert.
- Buffalo Air Branch will assist HSI Buffalo and other state and local partners with situational awareness through an aircraft video downlink and on-board optics to the tactical command center. Specific mission objectives are the security of HSI SAC Offices and the Western District of New York Federal Court House.

## **Law Enforcement Safety & Compliance**

- •\* Provided more than 20K pepper balls, 5 Scuba Tanks, and other associated preparation equipment (high pressure air bottles, regulators, etc.) to USSS in direct support of the response to the situation in the NCR.

## U.S. Citizenship and Immigration Services (USCIS)

- • \* There are no reports of USCIS personnel affected by the civil disturbances
- • \* USCIS is prepared to partner with the Federal Protective Service (FPS) and local law enforcement to respond to any incident at or near USCIS facilities.
- • \* USCIS Chicago District/Field Office will close 1 Jun.

## Immigration and Customs Enforcement (ICE)

### • • \* Enforcement and Removal Operations

- Field offices placed Special Response Teams on standby in multiple locations.
- Denver PD requested ERO support (b)(7)(E) (b)(7)(E) The request was forwarded to the National Firearms & Tactical Training Unit and was denied by the Office of the Principal Legal Advisor.
- Denver Field Office Special Response Team was activated for a protective detail during a planned protest at the Contract Detention Facility (CDF) in Aurora, CO. Mission objective is interior asset protection of the ERO space. Aurora Police Department has outside perimeter control. Plans for moving detainees out of CDF, if necessary, have been reviewed.
- ERO Seattle activated (b)(7)(E) Portland Office LEO after significant protest activity on 29 May and a meeting with local, state and federal partners that highlighted possible activity to federal buildings (including the Portland Office). Local FPS and HSI Portland also provided LEOs at the Portland Office overnight. ERO Seattle will have LEOs on stand-by to assist local FPS at the Portland Office
- No impact to personnel or mission essential functions.

### • • \* Homeland Security Investigations

- Postured to assist where required.

## U.S. Secret Service (USSS)

- • \* The USSS continues to coordinate with our NCR law enforcement partners and pass situational awareness to our frontline teams. The USSS is also providing open-source intelligence to our field offices nation-wide for situational awareness.
- • \* The USSS has enhanced protective shifts of Uniform Division officers at the White House to manage civil disobedience.
- • \* The USSS is procuring additional civil disturbance equipment for officers in order to enhance protective measures.
- • \* Field offices have been in contact with law enforcement partners and have offered assistance and technical support.

## Countering Weapons of Mass Destruction Office (CWMD)

- • \* CWMD has 8 (-4) employees deployed across the country where protests are taking place.

- Deployed to New York, Boston, Dallas, Houston, Phoenix, and Cincinnati.
- All safe and accounted for.

### **Cybersecurity and Infrastructure Security Agency (CISA)**

- CISA Region X Protective Security Advisor (PSA) is deployed to the City of Seattle EOC upon request of the Seattle Police Department.
- Additional CISA PSA's are collaborating with state fusion centers and local law enforcement across the country.
- CISA is continuing to monitor cyber threats to Minnesota government assets and is analyzing indicators of compromise provided to Cybersecurity Division.

### **Management Directorate (MGMT)**

- **Federal Protective Service (FPS)**

- Providing a 25-person squad to support US Park Police in Lafayette Park (Washington, DC) 31 May.
- Loaned the US Park Police (b)(7)(E) helmets, (b)(7)(E) crowd control shields and (b)(7)(E) rounds of Pepperball.
- Anticipates no changes in its operating posture or ability to execute or sustain its homeland-security mission.

### **Transportation Security Administration (TSA)**

- • \* No impacts to operations or personnel. However, TSA I&A Field Intelligence Officers (FIOs) are beginning to provide information from the field, TSOC will update as information comes available.

### **Federal Law Enforcement Training Center**

- • \* FLETC security increased perimeter patrols at all sites and conducted an accountability exercise for all-hands 31 May (no issues reported).

### **Department of Homeland Security HQ (DHS HQ)**

- • \* National Operations Center provides twice daily incident reports to the Homeland Security Enterprise with interim updates to DHS leadership.

The next DHS Component Actions Report will be published on or about 1200 ET 1 Jun 2020.