

# EXHIBIT U

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Attn. FOIA/PA Appeals Office  
P.O. Box 648010  
Lee's Summit, MO 64064-8010



U.S. Citizenship  
and Immigration  
Services

APP2021002289

December 27, 2021

Thomas Tousley  
Law Office of Thomas H. Tousley  
600 Cameron Street  
Alexandria, VA 22314

Dear Thomas Tousley:

RE: NRC2021171428

You appealed the action of the National Records Center regarding your request for access to records pertaining to Shirley Borromeo, dated November 1, 2021.

The determination of the National Records Center was to withhold 227 pages in part and 84 in full.

After careful consideration of your appeal, and as a result of discussions with the National Records Center, I have decided to release 148 additional pages to you. Enclosed are 138 pages released in their entirety and 10 pages released in part. Information has been redacted pursuant to 5 U.S.C. § 552 (b)(6), (b)(7)(c), and (b)(7)(e) of the FOIA.

On the remaining pages, I found that the National Records Center properly withheld certain information that is protected from disclosure. This information is not appropriate for discretionary release.

The following exemptions are applicable:

Exemption (b)(7)(C) provides protection for personal information in law enforcement records, which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have withheld information relating to third-party individuals. The types of documents and/or information that we have withheld could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents that are considered personal.

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

Exemption (b)(7)(E) of the FOIA provides protection for records or information for law enforcement purposes which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The types of documents and/or information we have withheld could consist of law enforcement systems checks, manuals, checkpoint locations, surveillance techniques, and various other documents.

Your request for a second search for responsive records cannot be addressed by this office. My function is limited to the review of records that have been denied pursuant to the Freedom of Information Act or the Privacy Act (FOIA/PA).

The National Records Center processed all records it could locate based on information provided with

APP2021002289

Page 2

your original request. If there is additional information you can provide that would assist in a search for records, you may wish to submit a new Freedom of Information Act (FOIA) request. Both the letter and the envelope should be clearly marked "New Request."

If you are dissatisfied with our action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

The Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal Agencies. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
Telephone: (202) 741-5770 or (877) 684-6448  
Email: [OGIS@nara.gov](mailto:OGIS@nara.gov)  
Website: [ogis.archives.gov](http://ogis.archives.gov)

Sincerely,

A handwritten signature in cursive script, appearing to read "Alan D. Hughes".

Alan D. Hughes, Associate Counsel  
U.S. Citizenship and Immigration Services

Enclosure(s)