

# **Exhibit 8**



**Homeland  
Security**

*Privacy Office, Mail Stop 0655*

March 4, 2022

**SENT VIA E-MAIL TO: [aturner@advancing-america.org](mailto:aturner@advancing-america.org)**

Adam Turner  
CASA  
1802 Vernon Street NW #2095  
Washington, DC 20009

Re: **2022-HQFO-00593**

Dear Mr. Turner:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated February 11, 2022, and to your request for a waiver of all assessable FOIA fees. Specifically, you requested Specifically, we are seeking:

1) Records related to MDM: All records created in the development, approval, and application of the term MDM (mis- dis- and mal-information). We are looking for records sent to, by, or including the following individuals:

- a. Alejandro Mayorkas
- b. John Tien
- c. Eric Hysen
- d. Alice Lugo
- e. Marsha Espinosa
- f. Katherine Culliton-Gonzalez
- g. Dmitri Kusnezov
- h. Robert Silvers
- i. John D. Cohen
- j. Eva A. Millona
- k. Jen Easterly

2) Records related to the phrase “false or misleading narratives”: All records created in the development, approval, application, and use of the phrase “false or misleading narratives and conspiracy theories” as it relates to foreign and domestic threats.

3) External Communications: All records exchanged between the above list of DHS officials and those in the Executive Office of the President, Office of the Vice President, Office of Management and Budget, Federal Communications Commission, or Department of Justice that include the following phrases or any combination of them:

- a. Mis-information
- b. Dis-information
- c. Mal-information
- d. False narrative
- e. Misleading narrative
- f. Conspiracy theories
- g. Fake news
- h. Perceived ideological opponents

4) Communications with non-governmental entities: All records exchanged between the above list of DHS officials and individuals working for or representing Facebook, Twitter, YouTube, Apple, Amazon, or Google that include the following phrases or any combination of them:

- a. Mis-information
- b. Dis-information
- c. Mal-information
- d. False narrative
- e. Misleading narrative
- f. Conspiracy theories
- g. Fake news
- h. Perceived ideological opponents

Your request was received in this office on February 11, 2022.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Consistent with 6 C.F.R. Part 5 § 5.5(a) of the DHS FOIA regulations, the Department processes FOIA requests according to their order of receipt. Although DHS' goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances under 6 C.F.R. Part 5 § 5.5(c). As your request seeks documents that will require a thorough and wide-ranging search, DHS will invoke a 10-day extension for your request pursuant to 6 C.F.R. Part 5 § 5.5(c). If you would like to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

You have requested a fee waiver. The DHS FOIA regulations at 6 C.F.R. Part 5 § 5.11(k) set forth six factors DHS must evaluate to determine whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government," (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities, (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requester or a narrow segment of interested persons, (4) Whether the contribution to public understanding of government operations or activities will be "significant," (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure, and (6) Whether the magnitude of any identified commercial interest to the requester is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.

Upon review of the subject matter of your request, and an evaluation of the six factors identified above, DHS has determined that it will conditionally grant your request for a fee waiver. The fee waiver determination will be based upon a sampling of the responsive documents received from the various DHS program offices as a result of the searches conducted in response to your FOIA request. DHS will, pursuant to DHS FOIA regulations applicable to non-commercial requesters, provide two hours of search time and process the first 100 pages at no charge to you. If upon review of these documents, DHS determines that the disclosure of the information contained in those documents does not meet the factors permitting DHS to waive the fees, then DHS will at that time either deny your request for a fee waiver entirely, or will allow for a percentage reduction in the amount of the fees corresponding to the amount of relevant material found that meets the factors allowing for a fee waiver. In either case, DHS will promptly notify you of its final decision regarding your request for a fee waiver and provide you with the responsive records as required by applicable law.

In the event that your fee waiver is denied, and you determine that you still want the records, provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS FOIA regulations as they apply to non-commercial requesters. As a non-commercial requester you will be charged for any search time and duplication beyond the free two hours and 100 pages mentioned in the previous paragraph. You will be charged 10 cents per page for duplication and search time at the per quarter-hour rate (\$4.00 for clerical personnel, \$7.00 for professional personnel, \$10.25 for managerial personnel) of the searcher. In the event that your fee waiver is denied, we will construe the submission of your request as an agreement to pay up to \$25.00. This office will contact you before accruing any additional fees.

Furthermore, due to the subject matter of your request, I am also transferring this request to the FOIA Officers for **Office for Civil Rights and Civil Liberties (CRCL)**, and **Cybersecurity and Infrastructure Security Agency (CISA) - formerly National Protection and Programs Directorate**, for portions of the request that ask for records from those DHS components, for processing under the FOIA and direct response to you. Please find their contact information below:

**Office for Civil Rights and Civil Liberties (CRCL)**

Create an account to avoid delays! [DHS PAL](#)  
Office for Civil Rights and Civil Liberties, Mail Stop 0190  
ATTN: CRCL FOIA Officer  
Department of Homeland Security  
2707 Martin Luther King Jr. AVE SE  
Washington, DC 20528-065

**Cybersecurity and Infrastructure Security Agency (CISA) - formerly National Protection and Programs Directorate**

Create an account to avoid delays! [DHS PAL](#)  
Privacy Office, Mail Stop 0655  
Department of Homeland Security

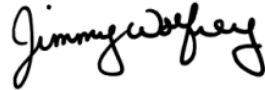
2707 Martin Luther King Jr. AVE SE  
Washington, DC 20528-065  
Phone: 202-343-1743 or 866-431

We have queried the appropriate component(s) of DHS for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the analysts in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2022-HQFO-00593**. Please refer to this identifier in any future correspondence. The status of your FOIA request is now available online and can be accessed at: <https://foiarequest.dhs.gov/app/CheckStatus.aspx>, by using this FOIA request number.

If you have any questions, or would like to discuss this matter, please feel free to contact this office at 1-866-431-0486 or 202-343-1743.

Sincerely,

A handwritten signature in black ink that reads "Jimmy Wolfrey". The signature is written in a cursive, slightly slanted style.

Jimmy Wolfrey  
Senior Director, FOIA Operations and Management  
(Acting)