

Exhibit H

From: Melissa Chua <mchua@nylag.org>
Sent: Tuesday, February 2, 2021 9:57 AM
To: I&AFOIA
Subject: Re: Final response to DHS I&A FOIA 2021-IAFO-00006
Attachments: NYLAG Response 2.2.21.pdf

Dear Officer Waters,

Please find attached our letter regarding the response referenced below.

Thank you,

Melissa Chua

Associate Director, Immigrant Protection Unit

Pronouns: She, her, hers

7 Hanover Square | New York, NY 10004

t: 212.613.6547



From: I&AFOIA <IAFOIA@HQ.DHS.GOV>
Date: Wednesday, December 16, 2020 at 4:26 PM
To: Melissa Chua <mchua@nylag.org>
Cc: I&AFOIA <IAFOIA@HQ.DHS.GOV>
Subject: Final response to DHS I&A FOIA 2021-IAFO-00006

Good afternoon Requester Chua,

Please find attached final response to DHS I&A FOIA 2021-IAFO-00006.

V/r,

I&AFOIA
FOIA Officer
Department of Homeland Security Officer of Intelligence and Analysis
I&AFOIA@HQ.DHS.GOV



Priscilla Waters
Office of Intelligence & Analysis
U.S. Department of Homeland Security
Privacy Office, Mail Stop 0655
2707 Martin Luther King Jr. AVE SE
Washington, DC 20528-065

VIA ELECTRONIC MAIL

February 2, 2021

Re: Freedom of Information Act Request 2021-IAFO-00006

Dear Ms. Waters:

We confirm receipt of your letter dated December 16, 2020 regarding the Department of Homeland Security Office of Intelligence and Analysis's ("I&A") final response to NYLAG's FOIA request referenced above. I write to seek certain clarifications with respect to your letter.

First, please note that NYLAG originally submitted this FOIA request to both DHS and ICE. In a letter dated October 5, 2020, the DHS Privacy Office informed us that it has transferred NYLAG's FOIA request to the CBP, USSS, and FPS. *See* Attachment 1. Does the December 16, 2020 letter represent a final response on behalf of all DHS agencies, including ICE, CBP, USSS, and FPS? If not, on which agency's or agencies' behalf was the December 16, 2020 letter sent?

Second, your December 16, 2020 letter summarizes NYLAG's FOIA request as seeking records about "I&A's support of other law enforcement efforts related to Protests occurring in New York City between May 25, 2020, and the date of this request." We dispute this over-simplified characterization of NYLAG's FOIA request, which contains nine individual request items. *See* Attachment 2. Please clarify the specific request item(s) to which your letter applies.

In its letter of October 5, 2020, the DHS Privacy Office informed us that it may have purview over the records requested under items 1, 4, 5, 6, and 8 of NYLAG's FOIA request and will conduct a search for the records described in those items. Does your December 16, 2020 letter constitute a representation that the DHS Privacy Office has searched for records requested under items 1, 4, 5, 6, and 8 of NYLAG's FOIA request? Does your December 16, 2020 letter constitute a further representation that the DHS Privacy Office found no responsive documents for items 1, 4, 5, 6, and 8 of NYLAG's FOIA request? If not, for which request item(s) did you conduct your search?

Third, we respectfully request that you provide the following information regarding the scope and methods of your search.

- Did you search paper documents, or electronic documents, or both?
- If you searched paper documents, which office(s) was the search performed at?
- If you searched electronic documents, what database(s) did you search?
- With respect to both paper and electronic documents, what was the time period that you searched?
- With respect to electronic documents, what search terms did you use?

We look forward to receiving a prompt response. If we do not hear from you within 15 days, we plan to begin the appellate process under the procedures in 6 C.F.R. Part 5 § 5.8.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'mchua', with a stylized flourish at the end.

Melissa Chua
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7 Hanover Square, 7th Floor
New York, New York 10004
mchua@nylag.org
(212) 613-5088

Enclosure