

**Freedom of Information Act (FOIA) Activity for the Week of  
March 31, 2022 – April 6, 2022  
DHS Privacy Office  
April 11, 2022  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On March 31, 2022, **Stephen Poellot**, a representative of the **International Refugee Assistance Project** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the processing of requests for humanitarian parole by Afghan nationals at U.S. Ports of Entry issued after January 1, 2021. (Case Number CBP-2022-060665)
- On April 1, 2022, **Nick Bauer**, a representative of the **Democratic National Committee** in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to email communications between CBP officials and Senator Rick Scott or any staff member in Senator Scott's office from January 8, 2019, through the present (Case Number CBP-2022-061200)
- On April 1, 2022, **Tierney Sneed**, a representative of **CNN** in Washington D.C., requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between Virginia Thomas and acting Deputy Secretary Ken Cuccinelli from November 1, 2020, through January 20, 2022. (Case Number (Case Number 2022-HQFO-00826)
- On April 1, 2022, **Maeve McGoran**, a representative of **National Public Radio** in Washington D.C., requested from the United States Coast Guard (USCG) records pertaining to an incident that occurred in 2019 involving a midshipman from the United States Merchant Marine Academy. (Case Number 2022-CGFO-01279)
- On April 2, 2022, **Zachary Stieber**, a private individual in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Chris Magnus, Troy Miller, and Raul Ortiz mentioning "Title 42" or "CDC" from March 1, 2022, through April 1, 2022. (Case Number CBP-2022-061609)
- On April 4, 2022, **Tanvi Misra**, a private individual in Queens, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the use of cell-site simulators by CBP agents, employees, or partners from January 1, 2019, through the present. (Case Number CBP-2022-062199)
- On April 4, 2022, **Wills Robinson**, a representative of **DailyMail.com** in Malibu, California, requested from the Office of Inspector General (OIG) records pertaining to investigations into Secret Service agents or government employee misconduct. (Case Number 2022-IGFO-00144)

- On April 4, 2022, **Maeve McGoran**, a representative of *National Public Radio* in Washington D.C., requested from the United States Coast Guard (USCG) records pertaining to the names of Coast Guard attorneys who served as Special Assistant United States Attorneys working with the US Attorney's Office, Southern District of Florida or the US Attorney's Office, Eastern District of Louisiana between June 23, 2017, and November 12, 2019. (Case Number 2022-CGFO-01288)
- On April 4, 2022, **William Robinson**, a representative of *DailyMail.com* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to Secret Service agent's financial misconduct and activity in Malibu, California from January 20, 2021, through the present. (Case Number USSS 20220352)
- On April 4, 2022, **William Robinson**, a representative of *DailyMail.com* in New York, New York, requested from the United States Secret Service (USSS) records pertaining to investigations into an agent or employees' misconduct in Malibu, California, from January 20, 2021, through the present. (Case Number USSS 20220353)
- On April 5, 2022, **Hart Wood**, a representative of *American Oversight* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to the release of video footage capturing a facility tour of the Central Processing Center in McAllen, Texas on or around June 17, 2018. (Case Number CBP-2022-062338)

**Late Requests:**

- Nothing significant to report.

**III. Freedom of Information Act Releases**

- On April 1, 2022, the United States Coast Guard (USCG) released to **Ed Slavin** a representative of *Clean Up City of St. Augustine* in St. Augustine, Florida, 4 pages of records pertaining to cleanup efforts related to aviation gasoline and petroleum products spilled in wetlands as a result of a fatal crash on March 2, 2022. These documents were released in full. (Case Number 2022-CGFO-01246).
- On April 1, 2022, U.S. Customs and Border Protection released to **Ann Brown**, a representative of the **Center for Biological Diversity** in Portland, Oregon, 54 pages of records pertaining to the levee/flood barrier system of work in Rio Grande Valley, Texas. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2022-057168)
- On April 4, 2022, U.S. Customs and Border Protection (CBP) released to **Greg Wallace**, a representative of *CNN* in Washington, D.C., two pages of records pertaining to communications involving the Trump administration and the aesthetics of barriers along the U.S.-Mexico border. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case number CBP-2017-046426)
- On April 4, 2022, U.S. Customs and Border Protection (CBP) released to **Jason Leopold**, a representative of *Buzzfeed News* in Beverly Hills, California, 22 pages of records pertaining to the Standard Operating procedures for the apprehension, treatment, and incarceration of illegal alien adults and children and copies of use of force incident

investigations. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2019-006493)

- On April 4, 2022, U.S. Customs and Border Protection (CBP) released to **Elsa Goossen**, a representative of the **American Civil Liberties Union of New Mexico**, in Albuquerque, New Mexico, 532 pages of records pertaining to the apprehension, custody, processing, transfer, and release of migrants at the New Mexico border from April 7-20, 2019. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2019-052074)
- On April 4, 2022, U.S. Customs and Border Protection (CBP) issued to **John Greenwald**, a private individual in Castaic, California, a no records determination in response to his request seeking information related to the flight of an RC-26 type aircraft on November 23, 2019. (Case number CBP-2022-001985)
- On April 6, 2022, U.S. Customs and Border Protection (CBP) issued to **Jason Buch**, a private individual in Austin, Texas, a no records determination in response to his request seeking CBP Air and Marine Laredo Branch communication logs and dispatch records from January 10, 2017. (Case number CBP-2022-041153)
- On April 6, 2022, Federal Emergency Management Agency (FEMA) released to **Nate Jones**, a representative of *The Washington Post* in Washington D.C., one Excel spreadsheet of records pertaining to requests for ventilators submitted to FEMA by state governors and departments of health. The records were partially released under FOIA exemption 6. (Case Number 2021-FEFO-00267)
- On April 6, 2022, U.S. Citizenship and Immigration Service (USCIS) released to **David Cleveland**, a representative of **Catholic Charities of Washington**, in Washington, D.C., 350 pages of records pertaining to Train the Trainer Instructions from headquarters to asylum offices from January 01, 2019, through the present. Portions of the release were withheld pursuant to FOIA Exemptions 6, and 7(E). (Case Number COW 2019-501495)
- On April 6, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative of the **Cato Institute**, in Washington, D.C., 6 pages of records pertaining to the number of service-wide forms for fiscal years 2007 through 2012. These records were released in full. (Case Number COW 2020-000184)

#### **IV. Freedom of Information Act Appeals**

- Nothing significant to report.

#### **V. Freedom of Information Act Appeals Releases**

- Nothing significant to report.

#### **VI. Litigation**

- In the matter of *American Civil Liberties Union of Northern California v. U.S. Immigration and Customs Enforcement (21-cv-02632)*, plaintiff filed a FOIA request on April 14, 2021, seeking records pertaining to the acquisition and use of

Clearview AI facial recognition software. On March 30, 2022, U.S. Customs and Border Protection (CBP) released 38 pages of records to the plaintiff.

- In the matter of ***Sierra Club v. U.S. Customs and Border Protection (CBP) (17-cv-05273)*** plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On March 31, 2022, U.S. Customs and Border Protection (CBP) issued its thirty-fifth interim release to the plaintiff, consisting of 1,271 pages of records.
- In the matter of ***Southern Poverty Law Center and Al Otro Lado v. U.S. Customs and Border Protection (CBP) (19-cv-3438)*** plaintiff filed a FOIA request on May 31, 2019, seeking records pertaining to the screening, inspection or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On March 31, 2022, U.S. Customs and Border Protection (CBP) released its nineteenth interim response to the plaintiff, consisting of 1,698 pages of records.
- In the matter of ***American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204) (2021-HQLI-00006)*** plaintiff filed a FOIA request on May 22, 2020, seeking records pertaining to COVID-19 in immigration detention facilities. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 105 pages of records to the plaintiff.
- In the matter of ***Los Angeles Times Communications LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)*** plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to sexual misconduct allegations at dedicated Enforcement and Removal Operations (ERO) facilities. On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 3,644 pages of records to the plaintiff.
- In the matter of ***Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) (18-cv-01501)***, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to detainees being held in segregation, and all subsequent reviews conducted by the Field Office Director. On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 20 excel spreadsheets to the plaintiff.
- In the matter of ***Graham v. U.S. Department of Homeland Security (DHS) (19-cv-02429)*** plaintiff filed a FOIA request on December 04, 2019, seeking records pertaining to ICE's policies and procedures. On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released 174 pages of records to the plaintiff.
- In the matter of ***Allan S. Lolly v. U.S. Citizenship and Immigration Services (USCIS)(21-cv-01925)***, plaintiff filed a FOIA request on August 31, 2021, seeking records pertaining to the adjudications of no risk determinations under the Adam Walsh Act. On March 31, 2022, U.S. Citizenship and Immigration Services (USCIS) released 557 pages of records to the plaintiff.
- In the matter of ***Oona Hathaway v. U.S. Department of Homeland Security (DHS) (21-cv-01011) (2021-HQLI-00043)*** plaintiff filed a FOIA request on December 29,

2020, seeking records pertaining to nonbinding international understandings and arrangements. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 7 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union Foundation and American Civil Liberties Union Foundation of Northern California v. United States Citizenship and Immigration Services (USCIS) (19-cv-00290)*, plaintiff filed a FOIA request on May 29, 2018, seeking records pertaining to the agency's search, analysis, filtering, monitoring, or collection of content available on any social media network. On April 1, 2022, U.S. Citizenship and Immigration Services (USCIS) released 20 pages of records to the plaintiff.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States' treatment of a Mexican journalist, his son, and their attorney. On April 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 239 pages of records to the plaintiff.
- In the matter of *Lawyers Committee for Civil Rights v. U.S. Department of Homeland Security (DHS) (18-cv-00167) (2018-HQLI-00014)* plaintiff filed a FOIA request on October 24, 2017 seeking records pertaining to communications between DHS officials and members of the Presidential Advisory Commission on Election Integrity from January 20, 2017, through the present. On April 1, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 16 pages of records to the plaintiff.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. U.S. Department of Homeland Security (DHS) (21-cv-12030)* plaintiff filed FOIA requests on December 13, 2021, seeking records pertaining to ICE detainees being placed into segregated housing. On April 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 384 pages of records to the plaintiff.
- In the matter of *Jesus Vidal-Martinez v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-07772)* plaintiff filed a FOIA request on December 29, 2020, seeking records pertaining to communications between ICE, Decatur County Sheriff, and the U.S. Department of Justice related to an individual detained by ICE. On April 1, 2022, U.S. Immigration and Customs Enforcement (ICE) released 95 pages of records to the plaintiff.
- In the matter of *Lindsay Nash v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-04288)* plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On April 3, 2022, U.S. Immigration and Customs Enforcement (ICE) released 493 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union of Northern California v. U.S. Department of Homeland Security (DHS) (21-cv-02632) (2021-HQLI-00024)* plaintiff filed a FOIA request on October 19, 2020, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI. On April 4,

2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 4 pages of records to the plaintiff.

- In the matter of *New Mexico Immigrant Law Center v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00017)* plaintiff filed a FOIA request on January 07, 2022, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants. On April 4, 2022, U.S. Immigration and Customs Enforcement (ICE) released 610 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Immigration Customs Enforcement (ICE) (19-cv-01817)* plaintiff filed a FOIA request on February 8, 2019, seeking records pertaining to the death of 2 individuals who were detained by ICE. On April 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 518 pages of records to the plaintiff.
- In the matter of *Southern Poverty Law Center v. U.S. Department of Homeland Security (DHS)(18-cv-01725)* plaintiff filed a FOIA request on January 23, 2018, seeking records pertaining to ordering agreements between ICE and local authorities or law enforcement agencies. On April 5, U.S. Immigration and Customs Enforcement (ICE) released 878 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (21-cv-03030)* plaintiff filed a FOIA request on November 16, 2021, seeking records pertaining to detainee death reviews. On April 5, 2022, U.S. Immigration and Customs Enforcement (ICE) released 515 pages to the plaintiff.
- In the matter of *American Oversight v. United States Citizenship and Immigration Services (USCIS)(19-cv-00774)*, plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to communications from White House adviser Stephen Miller and his former executive assistant McLaurine Klinger. On April 5, 2022, U.S. Citizenship and Immigration Services (USCIS) released 311 pages of records to the plaintiff.
- In the matter of *Human Rights First v. U.S. Citizenship and Immigration Services (USCIS) (22-cv-00008)*, plaintiff filed a FOIA request on May 17, 2021, seeking records pertaining to credible and reasonable fear determinations and affirmative asylum adjudications from FY2016 through the present. On April 5, 2022, U.S. Citizenship and Immigration Services (USCIS) released two spreadsheets to the plaintiff.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. U.S. Customs and Border Protection (CBP) 20-cv-1583* plaintiff filed a FOIA request on August 16, 2019, seeking records pertaining to family reunification and the release of minors from DHS Custody. On April 6, 2022, U.S. Immigration and Customs Enforcement (ICE) released 597 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

**Exemption 1:** classified national defense and foreign relations information

**Exemption 2:** internal agency personnel rules and practices

**Exemption 3:** Information that is prohibited from disclosure by another federal law

**Exemption 4:** trade secrets and other confidential business information

**Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges

**Exemption 6:** information involving matters of personal privacy

**Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records A) could reasonably be expected to interfere with enforcement proceedings, B) would deprive a person of a right to a fair trial or an impartial adjudication, C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, D) could reasonably be expected to disclose the identity of a confidential source, E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or procedures, or F) could reasonably be expected to endanger the life or physical safety of any individual

**Exemption 8:** information relating to the supervision of financial institutions

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
April 7 – April 13, 2022  
DHS Privacy Office  
April 18, 2022  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On April 6, 2022, **Joshua J. Bauer**, a private individual in Delmar, Iowa, requested from U.S. Customs and Border Protection (CBP) records pertaining to the current restrictions on Border Patrol Agents who are not vaccinated. (Case Number CBP-2022-062849)
- On April 7, 2022, **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to USCIS front and backlog monthly numbers from January 1, 2020, through April 1, 2022; communications suggesting orders to the Field Office Directorate (FOD) to prioritize Afghan cases above others from April 1, 2020, through August 1, 2020; and draft records and correspondence from USCIS, including Refugee, Asylum and International Operations (RAIO), relating to the management of resources to handle credible fear matters from January 21, 2021, through April 5, 2022. (Case Number COW 2022-001844)
- On April 7, 2022, **Zachary Stieber**, a representative of *The Epoch Times* in New York City, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the October 1, 2021, announcement that required COVID-19 vaccination as part of the immigration admissibility requirements on public health grounds. (Case Number COW 2022-001848)
- On April 8, 2022, **Andrew Feinberg**, a representative of *The Independent* in the United Kingdom, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the issuance of a Green Card to a United Kingdom citizen who currently serves as Chancellor of the Exchequer in the UK government. (Case Number COW 2022-001853)
- On April 8, 2022, **Tom Hasslinger**, a representative of *Pacific Media Group* in Kailua-Kona, Hawaii, requested from the United States Coast Guard (USCG) records pertaining to the ocean tour company, Sunlight on Water, which operates out of the Honokohau Harbor on Hawaii Island, Hawaii. (Case Number 2022-CGFO-01319)
- On April 11, 2022, **Caroline Hamilton**, a representative of *Spoke Media* in Irving, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Susan Pat Perkins. (Case Number COW 2022-001925)
- On April 12, 2022, **Zachary Stieber**, a representative of *The Epoch Times* in New York City, New York, requested from U.S. Citizenship and Immigration Services



(USCIS) records pertaining to USCIS asylum officers processing asylum applications, as authorized in a rule on March 24, 2022. (Case Number COW 2022-001940)

- On April 12, 2022, **Sean Dunagan**, a representative of **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) records pertaining to the use of unmanned aircraft systems by criminal organizations operating along the U.S.-Mexico border. (Case Number CBP-2022-064452)
- On April 13, 2022, **Robin Bravender**, a representative of **Business Insider** in New York, New York, requested from the Department of Homeland security (DHS) Privacy Office records pertaining to communications between DHS and the United States Capitol Police's executive team from January 1, 2021, through January 12, 2021. (Case Number 2022-HQFO-00884)

**Late Requests:**

- Nothing significant to report.

**III. Freedom of Information Act Releases**

- On April 8, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Olivia Kohrs**, a representative of **Novo Legal** in Denver, Colorado, 186 pages of records, and one spreadsheet containing policies and memoranda regarding a potential epidemic outbreak or infectious spread of disease or virus. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number COW 2020-000437)
- On April 8, 2022, U.S. Customs and Border Protection (CBP) released to **David Bier**, a representative of the **Cato Institute** in Washington D.C. four pages of data pertaining to breaches and repairs to the southwest border fencing from Fiscal Year (FY) 2016 through the present. This record was released in full. (Case number CBP-2022-038526)
- On April 8, 2022, U.S. Customs and Border Protection (CBP) released to **Ann Brown**, a representative of the **Center for Biological Diversity** in Portland, Oregon, a one-page record pertaining to the levee/flood barrier system of work for approximately 13.4 miles in the Rio Grande Valley, Texas. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2022-060418)
- On April 11, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Aaron Sankin**, a representative of the **Center for Investigative Reporting** in Seattle, Washington, three pages of records pertaining to communications between USCIS and Mike Pence's office regarding voter fraud from January 1, 2017, through March 5, 2018. These records were released in full. (Case Number COW 2018-000098)
- On April 12, 2022, U.S. Customs and Border Protection (CBP) issued to **W. Paul Smith**, a representative of **The Intercept** in New York, New York, a no records determination in response to his request seeking records pertaining to the first 100 pages of any documents that identify websites that agency employees are not allowed

to visit while using their US Government-issued computers. (Case number CBP-2021-015134)

- On April 12, 2022, U.S. Customs and Border Protection (CBP) released to **Richard F. Berkemeier**, a private individual in Greensburg, Indiana, 338 pages of records pertaining to the amount of new border wall that has been constructed and the design specifications from January 1, 2019, to June 30, 2019. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(E). (Case number CBP-2019-065116)
- On April 13, 2022, U.S. Citizenship and Immigration Services (USCIS) released to **Austin Evers**, a representative of **American Oversight** in Washington, D.C., 2,066 pages of records pertaining to guidance or instructions provided to asylum applicants subject to the Migrant Protection Protocols regarding options for obtaining legal representation. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number COW 2019-501380)
- On April 13, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative of **MuckRock News** in Somerville, Massachusetts, 406 pages of records pertaining to the user manual for the HSI Forensic Document Laboratory. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2019-ICFO-24670)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

#### V. Freedom of Information Act Appeals Releases

- Nothing significant to report.

#### VI. Litigation

- In the matter of *Catholic Legal Immigration Network, Inc. v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017, through August 12, 2019. On April 7, 2022, U.S. Citizenship and Immigration Services (USCIS) released 720 pages of records to the plaintiff.
- In the matter of the *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, seeking records pertaining to civil immigration arrests by ICE agents that occurred within two city blocks of New York State courthouses. On April 7, 2022, U.S. Immigration and Customs Enforcement (ICE) released 453 pages of records to the plaintiff.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to the processing and treatment of noncitizen families who arrive at the U.S.-Mexico border. On April 7, 2022, U.S. Immigration and Customs Enforcement (ICE) released 20 pages of records to the plaintiff.

- In the matter of *Knigh First Amendment Institute at Columbia University v. Department of Homeland Security (DHS) (17-cv-07572)*, plaintiff filed a FOIA request on August 7, 2017, seeking records pertaining to vetting policies, and the government’s understanding of its authority to base immigration decisions on individuals’ speech, beliefs, or associations. On April 7, 2022, Immigrations and Customs Enforcement (ICE) released 4 pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project, and Refugee and Immigrant Center for Education and Legal Services v. U.S. Customs and Border Protection (CBP) (20-cv-03202)*, plaintiff filed a complaint on April 23, 2020, seeking the release of records pertaining to the intended beneficiaries of the U.S. government’s Iraqi and Afghan Special Immigrant Visa (SIV) programs. On April 8, 2022, U.S. Customs and Border Protection (CBP) issued the tenth interim release, consisting of 550 pages of A-File records to the plaintiff.
- In the matter of *Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-2725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to the submission, acceptance, and review of detainee health with Kenosha County, Wisconsin for the health care provided to people held under immigration laws. On April 8, 2022, U.S. Immigration and Customs Enforcement (ICE) released 255 pages of records to the plaintiff.
- In the matter of the *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083)* plaintiff filed a FOIA request on December 2, 2020, seeking records pertaining to the government access to or receipt of data from commercial databases containing cell phone location information. On April 11, 2022, U.S. Immigration and Customs Enforcement (ICE) released 127 pages of records to the plaintiff.
- In the matter of *American Friends Service Committee v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-2774)*, plaintiff filed a FOIA request on October 19, 2021, seeking records pertaining to environmental hazards and conditions at and near the Homestead detention center, as well as plans for migrant detention at the center. On April 11, 2022, U.S. Immigration and Customs Enforcement (ICE) released 601 pages of records to the plaintiff.
- In the matter of *Louise Trauma Center LLC v. United States Department of Homeland Security (DHS) (21- cv-02371)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to documents compiled and disseminated by the Director of International Affairs from January 1, 2020, through the present. On April 11, 2022, U.S. Citizenship and Immigration Services (USCIS) released 1,437 pages of records to the plaintiff.
- In the matter of *CGFNS International, Inc. v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-04529)*, plaintiff filed a FOIA request on August 5, 2021, seeking records pertaining to Form I-905 filed by Josef Silny and Associates Inc. On April 11, 2022, U.S. Citizenship and Immigration Services (USCIS) released three pages of records to the plaintiff.

- In the matter of *Immigrant Investors Association, INC., dba Invest in the USA v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) (20-cv-02850)*, plaintiff filed a FOIA request on September 3, 2019, seeking records pertaining to Form I-924As filed by EB-5 Regional Centers pursuant to program requirements for the FY 2018. On April 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 243 pages of records to the plaintiff.
- In the matter of *Immigrant Investors Association, INC., dba Invest in the USA v. U.S. Citizenship and Immigration Services (USCIS) (20-cv-02850)*, plaintiff filed a FOIA request on March 11, 2020, seeking records pertaining to Form I-924As filed by EB-5 Regional Centers pursuant to program requirements for the FY 2019. On April 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 55 pages of records to the plaintiff.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS) United States Department of Homeland Security (DHS) (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On April 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 805 pages of records to the plaintiff.
- In the matter of *International Refugee Assistance Project v. United States Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS) (21-cv-09519)*, plaintiff filed a FOIA request on August 20, 2021, seeking records pertaining to USCIS systems, manuals, policies and training materials from January 1, 2016, through the present. On April 12, 2022, U.S. Citizenship and Immigration Services (USCIS) released 625 pages of records to the plaintiff.
- In the matter of *Erin Siegal McIntyre v. U.S. Customs and Border Protection (CBP) (21-cv-03157)*, plaintiff filed a FOIA request on January 10, 2018, seeking records pertaining to correspondence between the Trump transition team and DHS related to building a wall along the U.S.-Mexico border between the dates of January 1, 2005 and January 31, 2017. Plaintiff filed suit on December 2, 2021, seeking the production of responsive records. On April 13, 2022, U.S. Customs and Border Protection (CBP) released 8 pages of records to the plaintiff.

## **Freedom of Information Act Exemptions**

**Exemption 1:** classified national defense and foreign relations information

**Exemption 2:** internal agency personnel rules and practices

**Exemption 3:** Information that is prohibited from disclosure by another federal law

**Exemption 4:** trade secrets and other confidential business information

**Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges

**Exemption 6:** information involving matters of personal privacy

**Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records A) could reasonably be expected to interfere with enforcement proceedings, B) would deprive a person of a right to a fair trial or an impartial adjudication, C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, D) could reasonably be expected to disclose the identity of a confidential source, E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or procedures, or F) could reasonably be expected to endanger the life or physical safety of any individual

**Exemption 8:** information relating to the supervision of financial institutions

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
April 14 – April 20, 2022  
DHS Privacy Office  
April 25, 2022  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On April 14, 2022, **Jolie McCullough**, a representative of *The Texas Tribune* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to a U.S. Border Patrol Agent's involvement in an October 14, 2021 trespassing arrest in Kinney County, Texas in the Del Rio Sector. (Case Number CBP-2022-066452)
- On April 14, 2022, **Thomas August**, a representative of **Chevron Pipeline & Power** in Houston, Texas, requested from the United States Coast Guard (USCG) records pertaining to damaged pipelines and appurtenances and structures, which include damaged vessels, missing buoys or vessel's/tugs/barges that broke away with or without power associated with Hurricane Ida from August 29, 2021, to April 14, 2022. (Case Number 2022-CGFO-01394)
- On April 15, 2022, **Kathleen Casey**, a representative of **Due Diligence Group LLC** in Lakeville, Minnesota, requested from U.S. Customs and Border Protection (CBP) records pertaining to formal correspondences between the CBP Commissioner and a U.S. Representative. (Case Number CBP-2022-066863)
- On April 15, 2022, **Monika Ksieniewicz Mil**, a representative of **BB Media** in Praga, Warszawa, Poland, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the wife of the former ambassador of Poland to the United Nations concerning an investigation into whether she was a spy of soviet/communist regime while working in the U.S. between 1940 and 1944. (Case Number COW 2022-002012)
- On April 15, 2022, **William Melugin**, a representative of **FOX News** in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to gotaway numbers from across all nine Border Patrol sectors at the US Southern border from January 1, 2021, to December 31, 2021. (Case Number CBP-2022-066878)
- On April 17, 2022, **Ryan Chan**, a representative of **Hong Kong Oriental Daily** in Hong Kong SAR, China, requested from the United States Coast Guard (USCG) records pertaining to USCG Cutter Bertholf's encounter with Chinese People's Liberation Army Navy task force in international waters within the US exclusive economic zone. (Case Number 2022-CGFO-01372)

- On April 18, 2022, **Henry de La Garza**, a private individual in Houston, Texas requested from the United States Coast Guard (USCG) records pertaining to recordings of radio communications on March 31, 2022, related to the rescue of two fishermen. (Case Number 2022-CGFO-01390)
- On April 18, 2022, **Tonya Riley**, a representative of *CyberScoop* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to DHS' use of "iProov" facial recognition technology from December 12, 2021, to April 15, 2022. (Case Number CBP-2022-067053)
- On April 18, 2022, **William M. Carless**, a representative of *USA Today* in McLean, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to a Border Patrol Agents emails, work schedule, including work locations as a Border Patrol Agent, and annual compensation from January 1, 2017, through the present. (Case Number CBP-2022-067211)
- On April 19, 2022, **Sam Stockbridge**, a representative of *Ketchikan Daily News* in Ketchikan, Alaska, requested from the United States Coast Guard (USCG) records pertaining to the 2021 Housing Market Survey and Analysis Final Report from December 14, 2021. (Case Number 2022-CGFO-01402)
- On April 19, 2022, **Hayes Gardner**, a representative of *Baltimore Sun* in Baltimore, Maryland, requested from the United States Coast Guard (USCG) records pertaining to the container ship Ever Forward. (Case Number 2022-CGFO-01403)

#### **Late Requests:**

- On April 1, 2022, **Nick Bauer**, a representative of **The Democratic National Committee** in Washington, D.C., requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications between Florida Senator or any staff member in the Senator's office and several USCIS officials from January 3, 2019, through the present. (Case Number COW 2022-001998)
- On April 13, 2022, **Stephen Dinan**, a representative of *The Washington Times* in Washington, D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to a report transmitted to Congress on Feb. 3, 2022, related to USBP agents and CBP officers carrying out non-mission duties. (Case Number CBP-2022-065749)
- On April 13, 2022, **Andrew Free**, a representative of *MuckRock* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the presence of potential unidentified aerial phenomena (UAP) or similar events during CBP subcomponents performance of their duties between January 1, 2015, through the present. (Case Number CBP-2022-065995)
- On April 13, 2022, **Lucy Sheriff**, a representative of *Furrowed Brow*, requested from the United States Coast Guard (USCG) records pertaining to the disappearance and search of an individual, who was last seen on a charter fishing boat named FREEDOM off the coast of San Pedro, California from June 30, 2005, through the present. (Case Number 2022-CGFO-01391)

### III. Freedom of Information Act Releases

- On April 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Kendra Albert**, a representative of **Harvard Law School Cyberlaw Clinic** in Cambridge, Massachusetts, 225 pages of records pertaining to DHS's analysis and implementation of an Executive order on enhancing public safety in the Interior of the United States. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number 2019-ICAP-00153)
- On April 14, 2022, U.S. Customs and Border Protection (CBP) issued to **Benjamin Link**, a representative of **Democracy Forward Foundation** in Washington, D.C., a no records determination regarding his request for the email correspondence of CBP's Policy Advisor. (Case number CBP 2020-024760)
- On April 15, 2022, U.S. Customs and Border Protection (CBP) released to **William Melugin**, a representative of **Fox News** in Los Angeles, California, a one-page record pertaining to gotaways throughout all Border Patrol sectors at the Southern border between January 20, 2021, to December 27, 2021. This record was released in full. (Case number CBP 2022-027876)
- On April 16, 2022, U.S. Customs and Border Protection (CBP) released to **David Donatti**, a representative of **American Civil Liberties Union of Texas** and the ACLU Border Rights Center in Houston, Texas, 158 pages of email communications pertaining to the "We Build the Wall" group. Portions of this request were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2020-041192)
- On April 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Mary Bolcom**, a representative of **Immigration Law Center of Minnesota** in Saint Paul, Minnesota, 80 pages of records pertaining to the conduct and results of I-9 compliance audits or investigations conducted by ICE. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2021-ICFO-37332)
- On April 20, 2022, U.S. Customs and Border Protection (CBP) issued to **Kenneth Klippenstein**, a representative of **The Young Turks**, in Madison, Wisconsin, a no records determination in regard to his request for records pertaining to notices to appear for each of the "Doctors For Camp Closure" doctors arrested on December 10, 2019, by Federal Protective Service (FPS) outside CBP's San Diego Border Patrol Sector headquarters, and correspondence from December 2, 2019, to December 13, 2019, between FPS and CBP concerning Doctors for Camp Closure and the declination of this group's offers to provide free flu shots. (Case number CBP-2020-027678)

### IV. Freedom of Information Act Appeals

- Nothing significant to report.

### V. Freedom of Information Act Appeals Releases

- Nothing significant to report.



## VI. Litigation

- In the matter of *Louise Trauma Center, LLC v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-03787)*, plaintiff filed a FOIA request on December 22, 2020, seeking records pertaining to instructions, training manuals, and guidance given to ICE lawyers at the Office of Chief Counsel from January 1, 2020, through the present. On April 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 361 pages of records to the plaintiff.
- In the matter of *The Center for Investigative Reporting v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-09633)*, plaintiff filed a FOIA request on September 13, 2021, seeking records pertaining to the Human Rights Violators and War Crimes Center. On April 14, 2022, U.S. Immigration and Customs Enforcement (ICE) released 498 pages of records to the plaintiff.
- In the matter of *CREW v. U.S. Department of Homeland Security (DHS) (19-cv-03544) (2020-HQLI-00010)*, plaintiff filed a FOIA request on August 18, 2017, seeking the calendar history, job role and responsibilities of Katherine Gorka as well as the communication history between Katherine Gorka and DHS Officials. On April 15, 2022, the Department of Homeland Security (DHS) Privacy Office released its ninth interim response, consisting of 51 pages of records to the plaintiff.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01523) (2018-HQLI-00033)*, plaintiff filed a FOIA request on January 11, 2018, seeking the email history of US Citizenship and Immigration Services (USCIS) ombudsman Julie Kirchner including all notes prepared by or for Ms. Kirchner in preparation for any meeting she attended. On April 15, 2022, the Department of Homeland Security (DHS) Privacy Office released its 39<sup>th</sup> interim response, consisting of 271 pages of records to the plaintiff.
- In the matter of *Leopold/Buzzfeed v. U.S. Department of Homeland Security (DHS) (18-cv-01957-CRC) (2018-HQLI-00039)* plaintiff filed a FOIA request on August 21, 2018, seeking email communications by the Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On April 15, 2022, the Department of Homeland Security (DHS) Privacy Office releases its 41<sup>st</sup> interim response, consisting of 354 pages of records to the plaintiff. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6.
- In the matter of *ACLU v. U.S. Immigration and Customs Enforcement (ICE) (18-cv-00290)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to social media surveillance, including the monitoring and retention of immigrants and visa applicants' social media information for the purpose of conducting extreme vetting. On April 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 282 pages of records to the plaintiff.
- In the matter of *ACLU Michigan v. U.S. Department of Homeland Security (DHS) (19-cv-03489)*, plaintiff filed a FOIA request on June 22, 2017, seeking records pertaining to ICE's wrongful arrest of a detainee. On April 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 7 excel sheets to the plaintiff.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to the "last-in-first-out" (LIFO) system under which

USCIS give priority to the most recently filed affirmative asylum applications when scheduling interviews - USCIS returned to LIFO (from FIFO) on January 29, 2018. On April 15, 2022, U.S. Citizenship and Immigration Services (USCIS) released 565 pages of records to the plaintiff.

- In the matter of ***Stevens v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-2725)***, plaintiff filed FOIA requests on August 6, 2018 seeking records pertaining to the submission, acceptance, and review of detainee health with Kenosha County, Wisconsin for health care provided to people held under immigration laws. On April 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 273 pages of records to the plaintiff.
- In the matter of ***ACLU of Northern California v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02632)***, plaintiff filed a FOIA request on April 17, 2021, seeking records pertaining to the purchase order or contract entered into between ICE and Clearview AI, along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On April 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 609 pages of records to the plaintiff.
- In the matter of ***Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02153)***, plaintiff filed a FOIA request on April 19, 2021, seeking records pertaining to the detention of a transgender or intersex person on or after January 1, 2015; training manuals, guides, memoranda, and other documents used to train ICE employees, DHS employees, or third-party contractors in the administration, regulation, or provision of medical and mental health care of transgender or intersex people in detention in existence on or after January 1, 2015. On April 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 443 pages of records to the plaintiff.
- In the matter of ***American First Legal Foundation v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-2168)***, plaintiff filed a FOIA request on April 13, 2021, seeking records pertaining to a written report within a memorandum dated February 18, 2021. On April 15, 2022, U.S. Immigration and Customs Enforcement (ICE) released 20 excel sheets to the plaintiff.
- In the matter of ***Project on Government Oversight Inc. v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-03372)***, plaintiff filed a FOIA request on November 07, 2019, seeking records pertaining to communications between government officials and representatives of Amazon or Amazon Web Services (AWS) regarding facial recognition technology. On April 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 183 pages of records to the plaintiff.
- In the matter of ***Organized Communities Against Deportations, Immigrant Defense Project, and Center for Constitutional Rights, v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02519)***, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to ICE's decision to expend resources to establish Citizens Academies. On April 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 336 pages of records to the plaintiff.
- In the matter of ***Rapid Defense Network and Transgender Law Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-06788)***, plaintiff filed FOIA

requests on August 6, 2018, pertaining to records arising from two FOIA requests filed with ICE on April 19, 2021, that sought records regarding transgender detainee segregation and Prison Rape Elimination Act (PREA) report. On April 18, 2022, U.S. Immigration and Customs Enforcement (ICE) released 341 pages of records to the plaintiff.

- In the matter of *Human Rights Defense Center v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02291)* plaintiff filed a FOIA request on August 30, 2021, seeking records pertaining to contracts active at any time from January 1, 2010 between ICE and eleven companies which owned, operated, or managed detention facilities. On April 19, 2022, U.S. Immigration and Customs Enforcement (ICE) released 350 pages of records to the plaintiff.
- In the matter of *Laila L. Hlass and The Door - A Center of Alternatives v. U.S. Citizenship and Immigration Services (USCIS) (21-cv-02200)*, plaintiff filed a FOIA request on April 21, 2021, seeking records pertaining to Special Immigrant Juvenile Status (SIJS) and Form I-360 applications from fiscal years 2010, through 2021. On April 19, 2022, U.S. Citizenship and Immigration Services (USCIS) released one excel spreadsheet to the plaintiff.
- In the matter of *American Immigration Council and Tahirih Justice Center v. United States Citizenship and Immigration Services (USCIS) (19-cv-02965)*, plaintiff filed a FOIA request on July 5, 2019, seeking records pertaining to the use of United States Customs and Border Patrol (CBP) officers to conduct credible and/or reasonable fear interviews. On April 20, 2022, U.S. Citizenship and Immigration Services (USCIS) released 4 pages of records to the plaintiff.
- In the matter of *Martin Vargas v. U.S. Immigration and Customs Enforcement (ICE) (22-cv-00287)*, plaintiff filed a FOIA request on March 10, 2022, seeking records pertaining to communications regarding medical treatment for a deceased individual detained by ICE officials. On April 20, 2022, U.S. Immigration and Customs Enforcement (ICE) released 380 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

**Exemption 1:** classified national defense and foreign relations information

**Exemption 2:** internal agency personnel rules and practices

**Exemption 3:** Information that is prohibited from disclosure by another federal law

**Exemption 4:** trade secrets and other confidential business information

**Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges

**Exemption 6:** information involving matters of personal privacy

**Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records A) could reasonably be expected to interfere with enforcement proceedings, B) would deprive a person of a right to a fair trial or an impartial adjudication, C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, D) could reasonably be expected to disclose the identity of a confidential source, E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or procedures, or F) could reasonably be expected to endanger the life or physical safety of any individual

**Exemption 8:** information relating to the supervision of financial institutions

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
March 24, 2022 – March 30, 2022  
DHS Privacy Office  
April 4, 2022  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- Nothing significant to report.

**II. Freedom of Information Act Requests**

- On March 23, 2022, **Marilyn Heiken**, a representative of **Johnson Johnson Lucas & Middleton, P.C.** in Eugene, Oregon, requested from the United States Coast Guard (USCG) records pertaining to a boating accident on July 20, 2018, involving an individual who suffered severe injuries. (Case Number 2022-CGFO-01220)
- On March 24, 2022, **Sarah Lynch**, a representative of **Reuters** in Washington D.C., requested from the Cyber Security and Infrastructure Security Agency (CISA) records pertaining to the total number of ransomware attacks that have been reported from February 24, 2022, through the present. (Case Number 2022-NPFO-00099)
- On March 25, 2022, **Maeve McGoran**, a representative of **National Public Radio** in Washington D.C., requested from the United States Coast Guard (USCG) records pertaining to criminal investigations conducted by the Coast Guard Investigative Service (CGIS) at 3 CGIS field offices. (Case Number 2022-CGFO-01235)
- On March 27, 2022, **Dustin Slaughter**, a private individual in Philadelphia, Pennsylvania, requested from the United States Coast Guard (USCG) records pertaining to the federal government's interactions with unidentified objects and unidentified crafts. (Case Number 2022-CGFO-01239)
- On March 28, 2022, **Ed Slavin**, a representative of **Clean Up City of St. Augustine Blogspot**, in St. Augustine, Florida, requested from the United States Coast Guard (USCG) records pertaining to the investigation, cleanup, and remediation of gasoline and petroleum products spilled in the federal wetlands adjoining St. Augustine/Northeast Florida Airport as a result of a fatal plane crash. (Case Number 2022-CGFO-01246)
- On March 28, 2022, **Madison Iszler**, a representative of the **San Antonio Express-News** in San Antonio, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to forms filed by individuals investing in the Arts Residences at the Thompson Hotel through the EB-5 visa program. (Case Number COW 2022-001630)
- On March 28, 2022, **Gabe Keminsky**, a representative of **The Daily Wire** in Pittsburg, Pennsylvania, requested from the U.S. Department of Homeland Security (DHS)

Privacy Office records pertaining to the DHS funds used for security fencing to protect the homes of Kamala Harris' and Joe Bidens'. (Case Number 2022-HQFO-00811)

- On March 28, 2022, **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to correspondences sent and received by fusion centers, data centers, and joint terrorism task forces related to the Truckers Convoy. (Case Number 2022-HQFO-00819)
- On March 29, 2022, **Kevin Dugan**, a representative of *New York Magazine* in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to organizations associated with the Church of Scientology that has been approved, denied, or are pending a decision by USCIS for sponsoring R-1 worker visas. (Case Number COW 2022-001648)
- On March 29, 2022, **Meredith Wright**, a representative of **Critical Content LLC** in Burbank, California, requested from the United States Coast Guard (USCG) records pertaining to a distress call made by an individual via a boat's VHF radio phone on February 15, 2016. (Case Number 2022-CGFO-01264)
- On March 29, 2022, **Rebecca Ballhaus**, a representative of *The Wall Street Journal* in New York, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to conflicts, ethics waivers, authorizations, and recusal determinations made or issued for employees hired by DHS from January 2017 through the present. (Case Number 2022-HQFO-00821)
- On March 30, 2022, **Eric Geller** a representative of **Politico** in Arlington, Virginia, requested from the Cyber Security and Infrastructure Security Agency (CISA) records pertaining to a report that DHS submitted to the White House pursuant to Executive Order 13800, which mandated a report describing solutions for improving government support to high-risk critical infrastructure. (Case Number 2022-NPFO-00103)

#### **Late Requests:**

- On March 9, 2022, **Caleb Brennan**, a private individual in Minneapolis, Minnesota, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications between the Director of the Office of Biometric Identity Management and representatives of the Northrop Grumman Corporation concerning personal data, privacy, and the collection of biometric data from migrants as it concerns the development of the Homeland Advanced Recognition Technology (HART) database. (Case Number 2022-HQFO-00781)

### **III. Freedom of Information Act Releases**

- On March 24, 2022, the Federal Emergency Management Agency (FEMA) released to **Gina Castro**, a private individual in Chicago, Illinois, one spreadsheet pertaining to the Individuals and Households Program (IHP) disaster assistance delivered to Louisiana coastal parishes after hurricanes. The spreadsheet was released in full. (Case Number 2022-FEFO-00387)

- On March 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Andrew Free**, a representative of *MuckRock News* in Somerville, Massachusetts, 225 pages of records pertaining to the Root Cause Analysis created by the Immigrant Health Services Corps (IHSC) for any Sentinel Event identified in the IHSC Continuous Quality Improvement (CQI) Activities Guide. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number ICE 2019-ICFO-38993)
- On March 31, 2022, U.S. Immigration and Customs Enforcement (ICE) released to **Tom Dreisbach**, a representative of *National Public Radio News* in Culver City, California, 4,200 pages of records pertaining to the Uniform Corrective Action Plan (UCAP) for Fiscal Years 2011-2018 developed for detention facilities used by U.S. Immigration and Customs Enforcement (ICE). Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (ICE Case Number 2018-ICFO-55661)

#### IV. Freedom of Information Act Appeals

- Nothing significant to report.

#### V. Freedom of Information Act Appeals Releases

- On March 24, 2022, **Michael Howell** appealed the Office of Inspector General's (OIG) adequacy of search for responsive records pertaining to the submitted FOIA request seeking all complaints from Project South, Institute for Elimination of Poverty and Genocide, Georgia Detention Watch, Georgia Latino Alliance for Human Rights, and the South Georgia Immigrants Support Network. (Appeal Case Number 2022-IGAP-00020, Case Number 2021-IGFO-00002).

#### VI. Litigation

- In the matter of *Albaledejo v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-01843)*, plaintiff filed a FOIA request on July 12, 2021, seeking records pertaining to the quarterly Operational Summary Safety Reports filed by contractors working with ICE Air Operations (IAO) from 2003 to the present. Additionally, all records related to the alleged sexual misconduct by IAO employees between 2003 through the present. On March 23, 2022, U.S. Immigration and Customs Enforcement (ICE) released 97 pages of records to the plaintiff.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to the "last-in-first-out" (LIFO) system under which USCIS gives priority to the most recently filed affirmative asylum applications when scheduling interviews. On March 24, 2022, U.S. Citizenship and Immigration Services (USCIS) released one Excel data set and 29 pages of records to the plaintiff.
- In the matter of *The Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-02443)* plaintiff filed a FOIA request on June 19, 2018,

seeking records pertaining to Homeland Security Investigations (HSI) handbooks for Counterterrorism & Criminal Exploitation Investigations; Human Smuggling & Trafficking Investigations; Narcotics and Transnational Organized Crime Rewards Program; National Security Investigation; and Investigative Methods. On March 24, 2022, U.S. Immigration and Customs Enforcement (ICE) released 617 pages of records to the plaintiff.

- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Mortality Reviews created by the Immigrant Health Service Corps (IHSC) regarding the death of Anthony Jones. On March 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 155 pages of records to the plaintiff.
- In the matter of *Los Angeles Times Communications, LLC v. U.S. Department of Homeland Security (DHS) (20-cv-10911)*, plaintiff filed a FOIA request on June 29, 2020, seeking records pertaining to the ICE Office of Professional Responsibility (OPR) investigation closing reports related to sexual misconduct at Enforcement and Removal Operations (ERO) facilities. On March 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 1,625 pages of records to the plaintiff.
- In the matter of *WyoSayNo; Sierra Club and Natural Resources Defense Council, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-05663)*, plaintiff filed a FOIA request on June 30, 2021, seeking records pertaining to plans to build and operate an immigration detention center in or near Evanston, Wyoming, including, correspondence, and contracts with CoreCivic and the Management and Training Corporation (MTC). On March 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released 364 pages of records to the plaintiff.
- In the matter of *Austin Sanctuary Network v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-01686)*, plaintiff filed a FOIA request on September 11, 2019, seeking records pertaining to fines or penalties imposed on individuals, including immigrants taking “sanctuary” in places of worship. On March 25, 2022, U.S. Immigration and Customs Enforcement (ICE) released 40 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) (19-cv-00290)*, plaintiff filed a FOIA request on May 29, 2018, seeking records pertaining to social media surveillance-related policies and guidance. On March 25, 2022, U.S. Citizenship and Immigration Services (USCIS) released 44 pages of records to the plaintiff.
- In the matter of *Crew v. U.S. Immigration and Customs Enforcement (ICE) (20-cv-02553)* plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to the decision to deploy federal agents to Portland, Oregon and Chicago, Illinois from June 2, 2020, through the present. On March 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 90 pages of records to the plaintiff.



- In the matter of *Al Otro Lado v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-03462)* plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to immigrants abused and neglected in ICE detention centers. On March 28, 2022, U.S. Immigration and Customs Enforcement (ICE) released 144 pages of records to the plaintiff.
- In the matter of *Leopold & BuzzFeed Inc. v. U.S. Department of Homeland Security (DHS) (20-cv-00722) (2020-HQLI-00020)* plaintiff filed a FOIA request on February 12, 2020, seeking records pertaining to the FEMA contingency plan for members of the public in the event of a coronavirus outbreak. On March 29, 2022, the Department of Homeland Security (DHS) Privacy Office released 7 pages of records to the plaintiff.
- In the matter of *Albaladejo v. U.S. Immigration and Customs Enforcement (ICE) (19-cv-03806)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to ICE medical summaries for individuals transported from 2003 through the present by ICE Air Operations. On March 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 38 pages of records to the plaintiff.
- In the matter of *Justice Action Immigration Center v. U.S. Department of Homeland Security (DHS) (21-cv-7592)*, plaintiff filed a FOIA request on September 22, 2021, seeking records pertaining to the policies regarding the treatment of children who are apprehended at the border in the company of adults. On March 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 229 pages of records to the plaintiff.
- In the matter of *Project on Government Oversight, Inc, v. U.S. Immigration and Customs Enforcement (ICE) (21-cv-00250)* plaintiff filed a FOIA request on January 27, 2021, seeking records pertaining to emails related to a Fox News tour of ICE's Adelanto detention center in the summer of 2019, records related to communications between Dr. Stewart Smith, Assistant Director for ICE Health Service Corps, and Tae Johnson, ICE Assistant Director for Custody Management, Enforcement and Removal Operations from January 20, 2017, through the present and records of ICE IHSC root cause analysis and corrective action plans (CAPs) produced following detainee deaths in ICE custody from January 1, 2012, through the present. On March 30, 2022, U.S. Immigration and Customs Enforcement (ICE) released 78 pages of records to the plaintiff.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records pertaining to the discretionary adjudication of Adjustment of Status for U Nonimmigrants. On March 30, 2022, U.S. Citizenship and Immigration Services (USCIS) released 239 pages of records to the plaintiff.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) (20-cv-01367) (2020-HQLI-00030)* plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to the U.S. Immigration and Customs

Enforcement's (ICE) response to COVID-19 regarding vulnerable populations in prisons and detention centers. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 576 pages of records to the plaintiff.

- In the matter of *State of Florida v. U.S. Department of Homeland Security (DHS) (21-cv-14462) (2022-HQLI-00010)* plaintiff filed a FOIA request on October 11, 2021, seeking records pertaining to DHS's policy on immigration detention practices and DHS's plans to reduce detention capacity. On March 31, 2022, the U.S. Department of Homeland Security (DHS) Privacy Office released 372 pages of records to the plaintiff.
- In the matter of *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Homeland Security (DHS)(21-cv-02574) (2022-HQLI-00003)* plaintiff filed a FOIA request on June 9, 2021, seeking records pertaining to communications between former White House Chief of Staff Mark Meadows, Chad Wolf, Peter Gaynor, or Brandon Wales between November 1, 2020, to January 20, 2021. On March 31, 2022, the Department of Homeland Security (DHS) Privacy Office released 21 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) (20-cv-10083) (2021-HQLI-00005)* plaintiff filed a FOIA request on February 10, 2020, seeking records pertaining to the government's access to or receipt of data from commercial databases containing cell phone location information. On March 31, 2022, the U.S. Department of Homeland Security released 244 pages of records to the plaintiff.

### **Freedom of Information Act Exemptions**

**Exemption 1:** classified national defense and foreign relations information

**Exemption 2:** internal agency personnel rules and practices

**Exemption 3:** Information that is prohibited from disclosure by another federal law

**Exemption 4:** trade secrets and other confidential business information

**Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges

**Exemption 6:** information involving matters of personal privacy

**Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records A) could reasonably be expected to interfere with enforcement proceedings, B) would deprive a person of a right to a fair trial or an impartial adjudication, C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, D) could reasonably be expected to disclose the identity of a confidential source, E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or procedures, or F) could reasonably be expected to endanger the life or physical safety of any individual

**Exemption 8:** information relating to the supervision of financial institutions

**Exemption 9:** geological information on wells