

Exhibit 12

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PROJECT ON GOVERNMENT)
OVERSIGHT, INC.)
Plaintiff,)
)
)
v.)
)
U.S. DEPARTMENT OF)
HOMELAND SECURITY,)
Defendant.)
_____)

Civil Action No. 22-2424 (ABJ)

DECLARATION OF KRISTEN M. FREDRICKS

I, Kristen M. Fredricks, pursuant to 28 U.S.C. § 1746, and based upon my personal knowledge and information derived from official records and reasonably relied upon in the course of my employment, hereby declare as follows, relating to the above-captioned matter:

1. In November of 2019, I was detailed from a GS-15 position in the Social Security Administration to a Special Advisor position in the Department of Homeland Security (DHS) Office of Inspector General (OIG). In 2020, I was appointed to the career Senior Executive Service position of Chief of Staff, DHS OIG. I have served continuously in that position since then. I also serve as the acting head of DHS OIG's Office of External Affairs.
2. I make this declaration in support of Defendant's Opposition to Plaintiff's May 22, 2023 Motion for a Processing Order (Document 15), which concerns Plaintiff's July 5, 2022 Freedom of Information Act (FOIA) request designated by OIG as 2022-IGFO-00217.

3. On December 13, 2020, the Cybersecurity and Infrastructure Security Agency issued an emergency directive informing DHS components, including OIG, that it had recently discovered software code that allowed malicious actors to gain access to federal computer networks. The directive prescribed certain actions that DHS components were required to take to mitigate the risk of any further compromise of DHS information systems.
4. Until that time, the Signal messaging application was not approved for use on DHS devices. However, I was one of a small number of users authorized to install the application on my OIG-issued cell phone for the limited purpose of discussing, via secure means, the response to the above-described apparent breach of DHS computer networks.
5. I do not recall sending or receiving a message on Signal relating to any of the topics in subrequest two in 2022-IGFO-00217 (“sexual harassment”; “sexual misconduct”; “domestic violence”; “Lafayette Square”; “POGO”; “Project on Government Oversight”; “Schwellenbach”; “Zagorin”; “Washington Post”; “New York Times”; “CNN”; “Durbin”; “Grassley”; “Maloney”; “Thompson”; “House Oversight”; “House Homeland Security”; “Senate Judiciary”).
6. No more than a few weeks after installing it, I deleted the Signal application from my OIG-issued cell phone because I no longer had use for it.
7. In 2022, before Plaintiff filed the July 5, 2022 FOIA request that is the subject of this litigation, all OIG users, including myself, turned in our cell phones to OIG’s Office of the Chief Information Officer (OCIO) and received new cell phones issued by OIG’s OCIO. Signal is not installed on the cell phone issued to me in 2022, which I have been using since that time. Any messages I sent or received via Signal on my old OIG-issued cell phone are no longer available to me.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this 1st day of June, 2023.

KRISTEN M
FREDRICKS

Digitally signed by
KRISTEN M FREDRICKS
Date: 2023.06.01
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Kristen M. Fredricks
Chief of Staff
Office of Inspector General
Department of Homeland Security