



Request Number: 2024-CGFO-01400



**Details of Request**

(Read only details of request)

CANCEL



**Request Description:** Under the Freedom of Information Act (5 U.S.C. § 552), I request access to and copies of all records related to the incident of privacy breach reported by the U.S. Coast Guard's Office of Privacy Management (CG-6P), including but not limited to all documents that became accessible to Coast Guard personnel with a Common Access Card (CAC) between September 22 and September 29, 2023 as described in the letter sent to CAPT Glenn Sulmasy, USCG (Ret.) by Kathleen Claffie, USCG Office of Privacy Management (CG-6P). Nature of the Incident: As described in the correspondence from CG-6P, during the specified period, due to incorrectly set access permission settings, sensitive and unredacted documents were exposed, making them searchable and accessible to any Coast Guard CAC holder. This exposure included documents responsive to FOIA and Privacy Act requests, investigative reports, and personal information. Specific Documents Requested: 1. All records and ESI including: internal memos, emails, and reports pertaining to the incident, including initial discovery, actions taken, and subsequent investigations. 2. Documents and ESI detailing the extent of the breach, including lists or databases of exposed documents and the types of personal information compromised. 3. Communications, ESI, and records between CG-6P, the Department of Homeland Security (DHS), and Coast Guard Cyber Command regarding the incident. 4. Any ESI and records

**Fee Waiver Requested? :** Not Requested

**Reason for Fee Waiver:** -



involving the investigative reports or findings by the Coast Guard Investigative Service (CGIS) or other entities regarding the breach, including the scope of the privacy incident. Public Interest

Consideration: This request is made in the public interest, as the incident involves the potential compromise of personal information and impacts the privacy rights of individuals. The disclosure of the requested information is vital to understanding the extent of the privacy breach and the measures taken to address it.

Please process this request with an expedited treatment due to the urgent need to inform the public about the extent of the privacy breach and its implications. If some of the requested records are exempt from disclosure, please provide the non-exempt portions of the records. I am willing to pay fees for this request up to 200.00. If you estimate that the fees will exceed this amount, please inform me first. Please provide a detailed fee breakdown. If you deny any part of this request, please cite each specific exemption you think justifies your refusal to release the information and notify me of appeal procedures available under the law. I look forward to your prompt response within the 20 working days statutory period, as specified by the FOIA. Definitions and Scope:

"Electronically Stored Information" (ESI) encompasses information of any kind that is created, stored, manipulated, communicated, and used in digital form, necessitating computer hardware and software for its access and interpretation. This definition includes a wide array of data types such as text, emails, documents, spreadsheets, databases, presentations, audio and video files, social media content, and digital images. ESI is stored across various digital devices and environments including, but not limited to, desktop and laptop

**Expedited Processing?:** Not Requested



computers, mobile devices, tablets, servers, and cloud storage services. It also covers the metadata associated with such information, which is the data about data, detailing the origins, structure, and characteristics of the digital content, including timestamps, authorship, and file properties.

**Government Records Scope:**

Government records includes all materials produced, received, retained, or under the control of the U.S. Coast Guard, in accordance with federal law and agency policy, regardless of physical form or characteristics as defined in The Federal Records Act (FRA), particularly 44 U.S.C. §§ 3101 and 36 CFR Chapter XII Subchapter B.

**Format and Treatment of Requested Information:**

Please provide the information in electronic format, preferably as PDFs or in their native electronic formats, ensuring that metadata is preserved. Any necessary redactions should be limited and clearly justified in the accompanying documentation.

**Contact and Follow-up:** Please direct all communications and responses to this request to Jason Wareham, 720-245-2440 or jwareham@allen-vellone.com. Very truly yours, Allen Vellone Wolf Helfrich & Factor P.C. Jason R. Wareham

**Reason for Expedited Processing:**

**Agency:** Department of Homeland Security

**Component:** U.S. Coast Guard

**Processing Track:** Simple

**Request Type:** FOIA

**Submitted Date:** 03/27/2024

**Request Status:** Initial Determination

**Identity Verification Status:** Not Requested by Agency

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Request Letter



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