

EXHIBIT B



**Homeland
Security**

Privacy Office, Mail Stop 0655

August 16, 2019

SENT VIA E-MAIL TO: shafeez@orrick.com

Sarah Hafeez
Orrick, Herrington & Sutcliffe LLP.
Columbia Center
1152 15th Street, NW
Washington, DC 20005-1706

Re: 2019-HQFO-01142

Dear Ms. Hafeez:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Privacy Office, dated August 15, 2019, and received in this office on August 15, 2019.

You requested:

1. Any documents regarding allocation of funds for the purpose of "mak[ing] and record[ing] prompt and continuous efforts toward family reunification and the release of the minor" from the U.S. Department of Homeland Security ("DHS") custody and/or facilities, as required by Paragraph 18 of the Flores Settlement;
2. All communications, instructions, guidance, directives, training materials issued to U.S. Customs and Border Patrol ("CBP") personnel regarding any and all "efforts toward family reunification and the release of the minor" from DHS custody and/or facilities;
3. All records of the steps taken by DHS or CBP officials "to make and record prompt and continuous efforts toward family reunification and the release of the minor" from DHS custody and/or facilities pursuant to Paragraphs 141 and 192 of the Flores Settlement, including: items (i) to (ix);
4. For all Class Members who are placed and remain in custody for longer than 72 hours, statistical information including the following: "(1) redacted minors name to preserve confidentiality, date of birth, and country of birth, (2) date placed in [CBP] custody, (3) each date placed, removed or released [from CBP custody], (4) to whom and where placed, transferred, removed or released [by CBP], (5) immigration status, and (6) hearing dates [if any]." See Settlement Paragraph 28.A. The information should also include the reasons for every placement of a minor in a detention facility. Id.
5. For CBP detention facilities in El Paso and Rio Grande Valley Border Patrol Sectors: including items (a) to (i);

6. For Class Members placed in secure facilities under Paragraph 21 of the Settlement: including items (a) to (d);

7. To the extent not covered in the above requests, the dates on which Class Members were assessed for special needs, the results of such assessment for each Class Member assessed, actions taken as a result of such assessment (if any), and documents regarding compliance with Paragraph 7 of the Flores Settlement;

8. For any Class Members who have died while in CBP facilities in El Paso and Rio Grande Valley Border Patrol Sectors, all records of the dates and results of all medical assessments on the Class Members; any actions taken as a result of such assessments; and records of the number of Class Members who have died;

9. All documents relating to the regulation of transportation of Class Members in compliance with Paragraphs 25 and 26 of the Flores Settlement;

10. To the extent not covered in the above requests, any documents discussing DHS and/or CBP budget for allocating resources (e.g. personnel, hiring, training, data-gathering, computer software, computer hardware) to "make and record prompt and continuous efforts toward family reunification and the release of minors" from DHS custody. Flores Settlement Paragraph 18;

11. To the extent not covered in the above requests, any documents, communications or reports gathering data to monitor any efforts being taken to release Class Members as promptly from DHS custody and/or facilities;

12. All contracts relating to provision of medical assessments and medical care in DHS and CBP custody and facilities in El Paso and Rio Grande Valley Border Patrol Sectors;

13. All contracts relating to hiring personnel whose responsibilities include attending to needs of children in DHS custody at CBP facilities, including but not limited to assisting children with bathing, brushing teeth, dressing, eating;

14. All contracts with outside food providers relating to provision of age-appropriate and nutritious food to Class Members in DHS custody at CBP facilities in El Paso and Rio Grande Valley Border Patrol Sectors;

15. To the extent not covered by the requests above, all current contracts with entities for the detention of Class Members and licenses issued for the operation of such entities. If such entities have sub-contracted with other entities to perform detention functions for Class Members, lists of all sub-contractors and copies of all current sub-contracts;

16. All documents recording the number of immigrants held in enclosed cells on a daily basis in CBP facilities in El Paso and Rio Grande Valley Border Patrol Sectors;

17. All documents, including, but not limited to, trainings and directives to CBP personnel relating to compliance with local fire codes, rules or regulations setting a maximum number of people permitted to be held in CBP facilities in El Paso and Rio Grande Valley Border Patrol Sectors;

18. Any records of the categories of employees, agents, and contractors trained to implement documents to ensure compliance with the *Flores* Settlement, including the individuals' titles and duty locations, the dates of trainings, and all training materials bearing upon the implementation of compliance documents; and

19. All non-protected documents relating to proposed federal regulation 83 FR 45486 - Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children and the corresponding final rule.

Due to the subject matter of your request, I am transferring this request to the FOIA Officers for ICE and CBP. Please see their contact information below:

U. S. Customs & Border Protection (CBP)

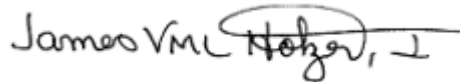
FOIA Officer
U.S. Customs and Border Protection
90 K Street, NE
FOIA Division
Washington, DC 20229
Phone: 202-325-0150
CBP Website

United States Immigration & Customs Enforcement (ICE)

Freedom of Information Act Office
500 12th Street, SW, Stop 5009
Washington, D.C. 20536-5009
FOIA Officer: Catrina Pavlik-Keenan
FOIA Requester Service Center Contact: Fernando Pineiro
Phone: 866-633-1182
Fax: 202-732-4265
E-mail: ice-foia@dhs.gov
ICE Website

If you need to contact our office again about this matter, please refer to **2019-HQFO-01142**. You may contact this office at 1-866-431-0486 or 202-343-1743.

Sincerely,



James Holzer
Deputy Chief FOIA Officer