



**Homeland  
Security**

*Privacy Office, Mail Stop 0655*

October 8, 2020

**SENT VIA EMAIL TO: [FOIA@AMERICANOVERSIGHT.ORG](mailto:FOIA@AMERICANOVERSIGHT.ORG)**

Austin Evers  
American Oversight  
1030 15<sup>th</sup> Street, NW, Ste. B255  
Washington, DC 20005

**RE: FPS Case Number 2020-FPFO-00239**

Dear Mr. Evers:

This is the final response to your August 13, 2020, Freedom of Information Act (FOIA) request to the U.S. Department of Homeland Security (DHS). You are seeking records sufficient to identify the following information about the officers and/or units that DHS has deployed to American cities as part of Operation Legend:

1. The number of federal employees or contractors who have been deployed to each city;
2. The units or components to which the aforementioned employees or contractors report;
3. The lengths of deployments of aforementioned employees or contractors; and
4. Any equipment used by deployed officers or contractors otherwise deployed to assist in law enforcement activities.

To provide you with the greatest degree of access authorized by law, DHS has considered your request under both the FOIA, 5 U.S.C. § 552, and the Privacy Act, 5 U.S.C. § 552a. In this case, a search of DHS's Federal Protective Service for documents responsive to your request produced a total of 15 pages. I have determined that one page is withheld in its entirety and 14 pages are partially releasable pursuant to 5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(C), and (b)(7)(E), FOIA Exemptions 5, 6, 7C, and 7E.

Enclosed are 14 pages with certain information withheld as described below:

**FOIA Exemption 5** protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. After carefully reviewing the responsive documents, the NPPD FOIA Office determined that portions of the responsive documents qualify for protection under the

- **Deliberative Process Privilege**

The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

**FOIA Exemption 6** exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

**FOIA Exemption 7(C)** protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

**FOIA Exemption 7(E)** protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

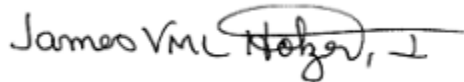
While an adequate search was conducted, you have the right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 2707 Martin Luther King Avenue SE, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

Provisions of the FOIA allow DHS to recover part of the cost of complying with your request. In this instance, because the cost is below the \$25.00 minimum, there is no charge.

You may contact the DHS FOIA Public Liaison at 202-343-1743 or toll free 1-866-431-0486 for any further assistance and to discuss any aspect of your request. Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you need to contact our office again about this matter, please refer to **2020-FPFO-00239**. This office can be reached at [FOIA@HQ.DHS.GOV](mailto:FOIA@HQ.DHS.GOV) or call 202-343-1743 or toll free 1-866-431-0486.

Sincerely,

A handwritten signature in black ink that reads "James V.M.L. Holzer, J." with a stylized flourish at the end.

James V.M.L. Holzer  
Deputy Chief FOIA Officer

Enclosure: Responsive Records (14 pages)

**From:** (b)(6); (b)(7)(C)  
**Sent:** 18 Jul 2020 10:09:32 +0000  
**To:** Patterson, Leonard E;Cline, Richard K (b)(6); (b)(7)(C)  
**Subject:** No reimbursement- Chicago

Sir,

I am preparing to launch an email to Admiral Tomney around 1000hrs regretfully telling him that we can not support the Chicago effort

(b)(6); (b)(7)(C); (b)(5)

If no issue, I will notify Admiral T accordingly.

Thanks

Vr/ (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)  
**Sent:** 17 Jul 2020 16:20:08 +0000  
**To:** (b)(6); (b)(7)(C)  
**Subject:** RE: (b)(7)(E) Chicago Investigative Effort

Great (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C); (b)(7)(E)

Thank you.

Vr/ (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director of Operations  
Federal Protective Service  
Department of Homeland Security

(b)(6); (b)(7)(C)

---

**From:** (b)(6); (b)(7)(C)  
**Sent:** Friday, July 17, 2020 12:16 PM  
**To:** (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)  
**Subject:** FW: (b)(7)(E) Chicago Investigative Effort

Please see below:

(b)(7)(E); (b)(6); (b)(7)(C)

(b)(7)(E); (b)(6); (b)(7)(C)

Thank you,

(b)(6); (b)(7)(C)

(Acting) Business Operations Manager  
Central Zone  
Federal Protective Service

(b)(6); (b)(7)(C)

---

**From:** (b)(6); (b)(7)(C)

**Sent:** Thursday, July 16, 2020 8:24 PM

**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

**Subject:** FW: (b)(7)(E)

The back story ... (b)(6); (b)(7)(C) has the action.

(b)(6); (b)(7)(C)

Assistant Director for Field Operations  
Federal Protective Service  
Department of Homeland Security

**From:** (b)(6); (b)(7)(C)

**Date:** Thursday, Jul 16, 2020, 7:41 PM

**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Subject:** (b)(7)(E)

Gents,

There is a tasking from DHS HQs to support the city of Chicago. DOJ is looking for (b)(7)(E) from DHS. The deployment timeline is (b)(7)(E)

(b)(7)(E)

(b)(6); (b)(7)(C); (b)(7)(E)

Thanks

Vr/ (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)  
**Sent:** 18 Jul 2020 01:16:00 +0000  
**To:** (b)(6); (b)(7)(C)  
**Cc:**  
**Subject:** RE: Chicago (b)(7)(E); (b)(7)(F) TDY Estimate.xlsx

I inquired about funding from DHS for Chicago.

(b)(5); (b)(7)(E)

More to follow.

Vr (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)  
**Date:** Friday, Jul 17, 2020, 19:48  
**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Subject:** RE: Chicago (b)(7)(E); (b)(7)(F) TDY Estimate.xlsx

Yep. Funding decision for Chicago might not be given til Monday. I will inquire first thing Monday.

Thanks

Vr (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)

**Date:** Friday, Jul 17, 2020, 19:44



**To:** [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

**Cc:** [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

**Subject:** RE: Chicago [redacted] (b)(7)(E) TDY Estimate.xlsx

[redacted] (b)(5)

Thanks

[redacted] (b)(6); (b)(7)(C)

**From:** [redacted] (b)(6); (b)(7)(C)

**Sent:** Friday, July 17, 2020 7:41 PM

**To:** [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

**Cc:** [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

**Subject:** RE: Chicago [redacted] (b)(7)(E); (b)(7)(F) TDY Estimate.xlsx

We don't have it yet. That is being worked by DHS. [redacted] (b)(5)

Vr/ [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

Deputy Director for Operations

FPS

[redacted] (b)(6); (b)(7)(C)

**From:** [redacted] (b)(6); (b)(7)(C)

**Date:** Friday, Jul 17, 2020, 19:39

**To:** [redacted] (b)(6); (b)(7)(C)

**Cc:** [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

**Subject:** RE: Chicago [redacted] (b)(7)(E) TDY Estimate.xlsx

Thanks [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C); (b)(5)  
Did we confirm if DOJ is paying? If I missed an email please

advise.

(b)(6); (b)(7)(C); (b)(5)

Thanks

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)

**Sent:** Friday, July 17, 2020 6:42 PM

**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Subject:** RE: Chicago TDY Estimate.xlsx

(b)(7)(E);  
(b)(7)(F)

Awesome.

Vr/ (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)

**Date:** Friday, Jul 17, 2020, 18:03

**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Subject:** RE: Chicago TDY Estimate.xlsx

(b)(7)(E);  
(b)(7)(F)

Thanks (b)(6); (b)(7)(C)

Thanks!

(b)(6); (b)(7)(C)

Budget Execution Branch Chief  
Financial Management Division  
Federal Protective Service

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

---

**From:** (b)(6); (b)(7)(C)

**Sent:** Friday, July 17, 2020 5:40 PM

**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Subject:** Chicago (b)(7)(E) TDY Estimate.xlsx

(b)(7)(C)

(b)(6); (b)(7)(C) as requested for FMD.

(b)(6); (b)(7)(C)

---

**From:** (b)(6); (b)(7)(C)  
**Sent:** 17 Jul 2020 22:44:39 +0000  
**To:** (b)(6); (b)(7)(C)  
**Cc:**  
**Subject:** RE: Chicago Info

(b)(5)

Regards (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Attorney Advisor for Federal Protective Service  
Office of the General Counsel  
Department of Homeland Security

(b)(6); (b)(7)(C)

This communication, along with any attachments, is covered by federal and state laws governing electronic communications and may contain confidential and legally privileged information. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this communication is strictly prohibited. If you received this communication in error, please reply immediately to the sender and delete this communication. Thank you.

---

**From:** (b)(6); (b)(7)(C)  
**Sent:** Friday, July 17, 2020 6:39 PM  
**To:** (b)(6); (b)(7)(C)  
**Cc:**  
**Subject:** RE: Chicago Info

Thanks (b)(6); (b)(7)(C); (b)(7)(E)

**Stay Safe. Stay Healthy!**

(b)(6); (b)(7)(C)  
Assistant Director for  
Law Enforcement Operations  
Federal Protective Service  
U.S. Department of Homeland Security  
(b)(6); (b)(7)(C)



*This message (including any attachments) may contain sensitive, but unclassified and/or law enforcement sensitive (LES) information intended for a specific individual and purpose and should be considered for official use only. (FOUO) DHS 11042.1 (03/05)*

**From:** [redacted] (b)(6); (b)(7)(C)

**Sent:** Friday, July 17, 2020 6:37 PM

**To:** [redacted] (b)(6); (b)(7)(C)

**Cc:** [redacted] (b)(6); (b)(7)(C)

**Subject:** Chicago Info

[redacted] (b)(6); (b)(7)(C)

[redacted] (b)(5); (b)(7)(E)

[redacted] (b)(6); (b)(7)(C)

Attorney Advisor for Federal Protective Service  
Office of the General Counsel  
Department of Homeland Security

[redacted] (b)(6); (b)(7)(C)

This communication, along with any attachments, is covered by federal and state laws governing electronic communications and may contain confidential and legally privileged information. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this communication is strictly prohibited. If you received this communication in error, please reply immediately to the sender and delete this communication. Thank you.

**From:** (b)(6); (b)(7)(C)  
**Sent:** 17 Jul 2020 16:07:42 +0000  
**To:** (b)(6); (b)(7)(C)  
**Cc:**  
**Subject:** RE: Chicago Investigative Effort  
**Attachments:** Region 7 Chicago Investigative Effort .xlsx

(b)(7)(E)

Name is attached.

(b)(6); (b)(7)(C)

U.S. Department of Homeland Security  
Federal Protective Service, Region 7  
1901 N. State Hwy 360 Suite (b)(6); (b)(7)(C)  
Grand Prairie, TX 75050

(b)(6); (b)(7)(C)

**Warning:** This document is ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO)~~. This email message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged or law enforcement sensitive that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender at telephone number (b)(6); (b)(7)(C) and immediately delete this message and all its attachments.

**From:** (b)(6); (b)(7)(C)

**Sent:** Thursday, July 16, 2020 4:31 PM

**To:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:** (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Subject:** RE: Chicago Investigative Effort

Attached is the spreadsheet for this suspense.

Thank you,

(b)(6); (b)(7)(C)

(Acting) Business Operations Manager  
Central Zone  
Federal Protective Service

(b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)

**Sent:** Thursday, July 16, 2020 4:04 PM

To: [redacted] (b)(6); (b)(7)(C)  
[redacted] (b)(6); (b)(7)(C)  
Cc: [redacted] (b)(6); (b)(7)(C)  
[redacted] (b)(6); (b)(7)(C)  
**Subject:** Chicago Investigative Effort

RDs,

Fast Action – The Administration will release an initiative early next week focused on addressing the gun violence in Chicago, requiring deployment of

[redacted] (b)(7)(E)

[redacted] (b)(6); (b)(7)(C) please compile the names and send to me NLT noon tomorrow (CST).

Thanks,

[redacted] (b)(6); (b)(7)(C)

Assistant Director for Field Operations  
Federal Protective Service  
Department of Homeland Security

**From:**

(b)(6); (b)(7)(C)

**Sent:**

18 Jul 2020 09:53:46 +0000

**To:**

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Cc:**

(b)(6); (b)(7)(C)

**Subject:**

Chicago - Stand Down

All,

We will stand down from the deployment.

(b)(7)(E)

Appreciate your efforts of getting personnel ready. If situation changes, I will let you know.

Thanks

Vr/

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)



**From:** (b)(6); (b)(7)(C)  
**Sent:** 18 Jul 2020 14:03:20 +0000  
**To:** Tomney, Christopher; (b)(6); (b)(7)(C)  
**Cc:** Cline, Richard K  
**Bcc:** (b)(6); (b)(7)(C)  
**Subject:** Chicago

Gentlemen,

Regrettably, FPS will only be able to support the Chicago effort with currently assigned LEO (b)(7)(E) in Chicago.

(b)(5)

Thanks

Vr/ (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Director for Operations  
FPS

(b)(6); (b)(7)(C)