



May 31, 2023

SENT BY ELECTRONIC MAIL TO: reed.rubinstein@aflegal.org

Attorney Rubinstein
American First Legal Foundation
611 Pennsylvania Avenue, SE, Suite 231
Washington, DC 20003

Re: **Case 1:22-cv-00986-TSC America First Legal Foundation v. DHS et al**

2022-IALI-00003 Release 2

Dear Attorney Rubinstein,

This letter is a response to the above litigation regarding your electronic Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Office of Intelligence and Analysis (I&A), dated April 7, 2022, and received on that date.

DHS I&A's Production

I&A processed twenty-nine (29) pages that were found to be potentially responsive to your request. For the production, twenty-five (25) pages were found to be responsive. Of the remaining responsive pages, four (4) pages were removed for further coordination. This production is made during the course of litigation in which future documents may be produced.

Redactions have been made to protect information exempted as follows:

| Freedom of Information Act, 5 U.S.C. § 552 | | | Privacy Act, 5 U.S.C. § 552a |
|--|---|--|-------------------------------------|
| <input type="checkbox"/> 552(b)(1) | <input type="checkbox"/> 552(b)(5) | <input type="checkbox"/> 552(b)(7)(C) | <input type="checkbox"/> 552a(j)(2) |
| <input type="checkbox"/> 552(b)(2) | <input checked="" type="checkbox"/> 552(b)(6) | <input type="checkbox"/> 552(b)(7)(D) | <input type="checkbox"/> 552a(k)(2) |
| <input type="checkbox"/> 552(b)(3) | <input type="checkbox"/> 552(b)(7)(A) | <input checked="" type="checkbox"/> 552(b)(7)(E) | <input type="checkbox"/> 552a(k)(5) |
| <input type="checkbox"/> 552(b)(4) | <input type="checkbox"/> 552(b)(7)(B) | <input type="checkbox"/> 552(b)(7)(F) | <input type="checkbox"/> Other: |

Exemption 6 protects 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 discourse against the individual's right to privacy. The types of documents and/or information that I&A has withheld may consist of names. 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.

Exemption 7(E) protects law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution or would disclose guidelines for law enforcement investigations or prosecution, if such disclosure could reasonably be expected to risk circumvention of the law.” See 5 U.S.C. § 552(b)(7)(E). DHS I&A is withholding from disclosure specific information which could reasonably be expected to risk circumvention of the law.

If you have any questions regarding this release, please contact the AUSA, United States Department of Justice, Civil Division, Federal Programs Branch, Stephen DeGenaro, Stephen.DeGenaro@usdoj.gov. Please be sure to reference case **1:22-cv-00986-TSC** in any correspondence regarding this case.

Sincerely,

Meekia W.

Meekia W.
Assistant FOIA Officer

Enclosure – 25 pages