



**Homeland  
Security**

*Privacy Office, Mail Stop 0655*

3/8/2024

SENT BY ELECTRONIC MAIL TO: FOIA@aflegal.org

Michael Ding  
America First Legal Foundation  
611 Pennsylvania Ave SE #231  
Washington, District of Columbia 20003

Re: 2023-HQFO-02156

Dear Requester:

This is the electronic final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated 7/21/2023, and received by this office on 7/21/2023. You are seeking communications between the custodians below with Irman Ahmed or any email account ending in @counterhate.com from January 20, 2021.

Custodians

Office of the Secretary

1. Alejandro Mayorkas, Secretary of DHS
2. Samantha Vinograd, Senior Counselor for National Security

Office of Strategy, Policy, and Plans

3. ROBERT SILVERS, Under Secretary.

Cybersecurity and Infrastructure Security Agency ("CISA")

4. Jen Easterly, Director
5. Kim Wyman, Senior Cybersecurity Advisor & Senior Election Security Leader
6. Lauren Protentis
7. Geoffrey Hale
8. Allison Snell
9. Brian Scully.

A search of the Office of the Chief Information Officer (OCIO) for documents responsive to items 1-3 of your request produced a total of pages. I have considered the foreseeable harm standard when reviewing the record set and have applied the FOIA exemptions as required by the statute and the Attorney General's guidance. Of these pages, I have determined that portions of

these pages are partially releasable pursuant to Title 5 U.S.C. § 552: (b)(6), FOIA Exemption 6. The balance of your request was referred to CISA for review and direct response to you per our amended acknowledgement letter to you on December 28, 2023.

Enclosed are 3 pages with certain information withheld as described below:

**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.

Pursuant to DHS Instruction 262-11-004, FOIA Officers at DHS have been instructed to withhold personally identifiable information (PII) and sensitive personally identifiable information (SPII) of DHS personnel unless a determination is made that the disclosure does not raise security or privacy concerns, or if those concerns are outweighed by any public interest in that information. [This policy is available online](#). Under this policy, the names of senior leaders, spokespersons, and political appointees are generally releasable. With respect to this FOIA request, DHS may have applied FOIA Exemption 6 to protect PII of DHS employees, including names and contact information. To the extent that has DHS withheld employee PII within these records, it has been determined that the employee(s) has/have substantial and legitimate privacy interests and that these interests are not outweighed by any public interest in the operations of the Department.

You have a right to appeal the above withholding and no records 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 Jr. 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 § 5.5(e)(2). 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).

If you need any further assistance or would like to discuss any aspect of your request, you may send an e-mail to [foia@hq.dhs.gov](mailto:foia@hq.dhs.gov), call 202-343-1743 or toll free 1-866-431-0486, or you may contact our FOIA Public Liaison in the same manner and refer to **2023-HQFO-02156**. 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 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

*Maura Busch*

Maura Busch  
Senior FOIA Analyst

Enclosure(s): Responsive Documents, 3 pages