

May 9, 2023

Ian Head
Center for Constitutional Rights
PO Box 31001
Los Angeles, California 90031

Andrew Wachtenheim
Immigrant Defense Project
P.O. Box 1765
New York, NY 10027

Re: **Immigrant Defense Project, et al. v. United States Customs and Border Protection,
et al. 1:22-cv-09920-RA**

Second Interim Response for FOIA requests CBP-2022-083266 & CBP-2022-088399

Dear Mr. Head and Mr. Wachtenheim:

This is the second interim release to your Freedom of Information Act (FOIA) requests to U.S. Customs and Border Protection (CBP), submitted and received in our office on May 24, 2022, and June 7, 2022, respectively.

For this production, CBP FOIA reviewed 837 pages of records from email searches in response to your request. The following were the results:

- 350 pages of records that are deemed Responsive to the request with redactions applied pursuant to Title 5 U.S.C. § 552 (b) (5), and (6), (7)(C), and (7)(E).
- 416 pages that are Duplicates of already processed pages.
- 71 pages sent out for Consult to DHS and ICE.

CBP has 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.

Additional information regarding the applicable exemptions and response can be found at the following link: <https://www.cbp.gov/document/guidance/exemption-definitions>.

Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

As this matter is currently in litigation, if you need further assistance or would like to discuss any aspect of this response, please contact, through counsel, Allison M. Rovner, Assistant United States Attorney (Allison.Rovner@usdoj.gov).

Please notate file numbers **CBP-2022-083266 & CBP-2022-088399** on any future correspondence to CBP related to these requests.

Sincerely,

U.S. Customs and Border Protection, FOIA Division
Privacy and Diversity Office