



**Homeland  
Security**

*Privacy Office, Mail Stop 0655*

March 15, 2022

SENT BY ELECTRONIC MAIL TO: [foia@americanoversight.org](mailto:foia@americanoversight.org)

American Oversight  
Austin Evers  
1030 15th Street, NW  
Suite B255  
Washington, DC 20005

Re: 2020-HQFO-00699

Dear Mr. Evers:

This is the electronic final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated March 5, 2020, and received by this office on March 5, 2020. You are seeking all email communications between the U.S. Department of Homeland Security (DHS) officials: Acting Secretary Chad Wolf, Acting Deputy Secretary Ken Cuccinelli, Acting Under Secretary for Science and Technology William Bryan, and anyone serving as White House Liaison or agency point of contact for the coronavirus task force and the Executive Office of the President (EOP) officials: Vice President Mike Pence, National Security Advisor Robert O'Brien, Assistant to the President and Deputy National Security Advisor Matthew Pottinger, Assistant to the President and Senior Advisor to the Chief of Staff Robert Blair, Assistant to the President and Director of the Domestic Policy Council Joseph Grogan, Assistant to the President and Deputy Chief of Staff for Policy Coordination Christopher Liddell, Director of the National Economic Council Larry Kudlow, White House Coronavirus Response Coordinator Deborah Birs, Press Secretary Katie Miller, Director of the White House Office of Science and Technology Policy Kelvin Droegemeier, from 1/30/2020 to 4/2/2020.

A search of the Office of the Chief Information Officer (OCIO) for documents responsive to your request produced a total of 8 pages. Portions of these pages are partially releasable pursuant to Title 5 U.S.C. § 552 (b)(5) and (b)(6), FOIA Exemptions 5 and 6.

**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, we 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

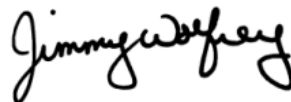
recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

**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.

You have a 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, 245 Murray Lane, SW, 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).

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 **2020-HQFO -00699**. 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](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Jimmy Wolfrey  
Senior Director, FOIA Operations and Management  
(Acting)

Enclosures: 8 pages

|                  |                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>From:</b>     | AS2KTC <(b)(6)><br>(b)(6)                                                                                                 |
| <b>To:</b>       | Katie Miller <(b)(6)><br>Olivia Troye </o=ExchangeLabs/ou=Exchange Administrative Group<br>(b)(6)><br>Marc Short <(b)(6)> |
| <b>Subject:</b>  | Fwd: For urgent clearance- TP's re border restrictions.                                                                   |
| <b>Date:</b>     | 2020/03/20 14:42:11                                                                                                       |
| <b>Priority:</b> | Normal                                                                                                                    |
| <b>Type:</b>     | Note                                                                                                                      |

All,

(b)(5)

Thank you,  
Ken Cuccinelli

---

**From:** Landau, Christopher (Mexico City) (b)(6)  
**Sent:** Friday, March 20, 2020 2:36:31 PM  
**To:** AS2KTC (b)(6)  
**Subject:** FW: For urgent clearance- TP's re border restrictions.

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Hi Ken,  
I'd very much like to get this guidance out to our 5 border posts ASAP to avoid chaos and confusion at the border. The Qs and As are very illuminating.

(b)(5)

Can you see if you can pry it loose – or suggest someone closer to that process who can?

Thanks,  
Chris



Christopher Landau, U.S. Ambassador to Mexico

(b)(6)

58

---

SENSITIVE BUT UNCLASSIFIED

**From:** Creamer, John S (Mexico City) (b)(6)  
**Sent:** Friday, March 20, 2020 12:14 PM

**To:** Landau, Christopher (Mexico City) (b)(6)  
**Subject:** Fw: For urgent clearance- TP's re border restrictions.

Sent from my BlackBerry 10 smartphone.

**From:** (b)(6)  
**Sent:** Thursday, 19 March 2020 9:19 PM  
**To:** Creamer, John S (Mexico City)  
**Cc:** Mexico City Tasker - PAS Press; (b)(6)  
(b)(6)  
**Subject:** For urgent clearance- TP's re border restrictions.

**Sir- cleared by POL, ECON, INL, HHS, DHS and MCCCCA. Some comments noted in italics.**

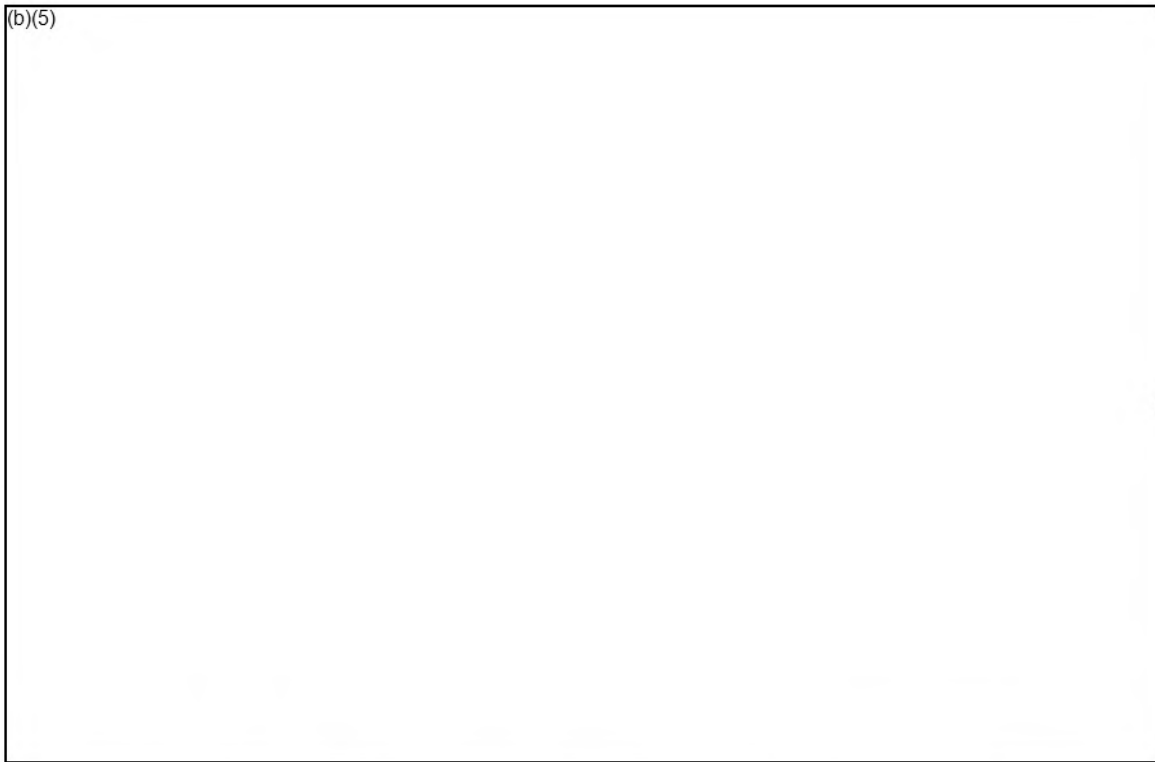
**POL also suggests** (b)(5)  
(b)(5)

**WHA Press Guidance  
March 20, 2020  
COVID-19 Travel Restrictions between the U.S. and Canada and  
Mexico**

(b)(5)

(b)(5)

(b)(5)



ll

Approved: WHA – Acting Assistant Secretary Michael Kozak

[]

Drafted: WHA/Press

(b)(6)

Clearances:

WHA/MEX:

(b)(6)

(ok)

WHA/CAN:

(ok)

M

CA

WHA/EPSC

(b)(6)

(ok)

WHA/PPC:

EB:

Embassy Ottawa:

(ok)

Embassy Mexico City: JCreamer (ok)

S/P: REllis

()

P: ERuppel

()

D: HHammad

()

R: (b)(6) ()  
WHA/Press: (b)(6) (ok)  
WHA/FO: CKierscht ()  
WHA/FO: HRodriguez ()  
WHA/FO: JPiechowski ()  
WHA/PDAS: JChung ()  
SPOX: ()

(b)(6)

Press Attache  
US Embassy Mexico City

(b)(6)

|                        |                                                                |
|------------------------|----------------------------------------------------------------|
| <b>Sender:</b>         | AS2KTC (b)(6)                                                  |
|                        | (b)(6)                                                         |
| <b>Recipient:</b>      | Katie Miller (b)(6)                                            |
|                        | Olivia Troye </o=ExchangeLabs/ou=Exchange Administrative Group |
|                        | (b)(6)                                                         |
|                        | Marc Short <(b)(6)                                             |
| <b>Sent Date:</b>      | 2020/03/20 14:42:10                                            |
| <b>Delivered Date:</b> | 2020/03/20 14:42:11                                            |

|                  |                                  |
|------------------|----------------------------------|
| <b>From:</b>     | AS2KTC (b)(6)                    |
|                  | (b)(6)                           |
| <b>To:</b>       | (b)(6); (b)(7)(C)                |
| <b>CC:</b>       |                                  |
| <b>Subject:</b>  | Fwd: Federal Employee Quarantine |
| <b>Date:</b>     | 2020/03/02 23:02:59              |
| <b>Priority:</b> | Normal                           |
| <b>Type:</b>     | Note                             |

All,  
 Tonight we ordered a USCIS office in Washington State to close tomorrow, and we will presumably order it closed

**From:** AS2KTC (b)(6)  
**Sent:** Monday, March 2, 2020 11:02:34 PM  
**To:** (b)(6)  
 (b)(6) Pottinger, Matthew E. EOP/WHO  
 (b)(6); Mulvaney, Mick M. EOP/WHO (b)(6)  
 Marc Short (b)(6); Grogan, Joseph J. EOP/WHO  
 (b)(6); Kellogg, Joseph Keith K. Jr. EOP/OVP  
 (b)(6)  
**Cc:** Olivia Troye (b)(6)  
 (b)(6); Ditto, Jessica E (b)(6) Katie Miller  
 (b)(6)  
**Subject:** Federal Employee Quarantine

All,

Tonight we ordered a USCIS (the legal immigration agency) office in the State of Washington to close tomorrow, and we will presumptively keep it closed for two weeks, but we will decide that tomorrow during the work day. This is the result of an employee connection to the nursing home facility in Kirkland, Washington that is a source of corona virus cases.

Here is the incident report:

(b)(6); (b)(5)

More to follow tomorrow.

Ken Cuccinelli

|                   |                           |
|-------------------|---------------------------|
| <b>Sender:</b>    | AS2KTC <(b)(6)><br>(b)(6) |
| <b>Recipient:</b> | (b)(6); (b)(7)(C)         |

|                       |                     |
|-----------------------|---------------------|
|                       | (b)(6); (b)(7)(C)   |
| <b>Sent Date:</b>     | 2020/03/02 23:02:59 |
| <b>Message Flags:</b> | Unsent              |