



**Homeland  
Security**

*Privacy Office, Mail Stop 0655*

April 2, 2021

**SENT VIA E-MAIL TO: [foia@americanoversight.org](mailto:foia@americanoversight.org)**

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

Re: 2020-HQFO-00366

Dear Mr. Evers:

This is the final response to your Freedom of Information Act (FOIA) request to the U.S. Department of Human and Health Services (HHS), Centers for Disease Control and Prevention (CDC) dated January 7, 2020, and seeking all email communications (including email messages, email attachments, calendar invitations, and calendar invitation attachments) between (1) the specified CDC officials and (2) external parties, listed below, regarding the prevention, treatment, and control of infectious diseases at immigrant detention or holding facilities.

CDC Officials:

- a. Dr. Mitch Wolfe, Chief Medical Officer
- b. Dr. Jay C. Butler, Deputy Director for Infectious Diseases
- c. Sarah Wiley, Senior Advisor to the Deputy Director for Infectious Diseases
- d. Dr. Nancy Messonnier, Director, National Center for Immunization and Respiratory Diseases (NCIRD)
- e. Allen Craig, Deputy Director, NCIRD
- f. Melinda Wharton, Director, Immunization Services Division, NCIRD
- g. Mark Pallansch, Director, Division of Viral Diseases, NCIRD
- h. Barbara Mahon, Director, Division of Bacterial Diseases, NCIRD
- i. Dr. Dan Jernigan, Director, Influenza Division, NCIRD
- j. Dr. Jonathan Mermin, Director, National Center for HIV/AIDS, Viral Hepatitis, STD and TB Prevention (NCHHSTP)
- k. Dr. Hazel Dean, Deputy Director, NCHHSTP
- l. Michael Melneck, Deputy Director, NCHHSTP
- m. Dr. Stephen Redd, Deputy Director for Public Health Service and Implementation Science  
Josh Bornstein, Acting Director, Center for Preparedness and Response (CPR)
- o. Michael Gerber, Acting Deputy Director, CPR
- p. M. Kathleen Glynn, Acting Deputy Director and Chief Medical Officer, CPR

q. Lovisa Romanoff, Acting Deputy Director and Senior Advisor for Management and Operations, CPR

r. Deb Lubar, Acting Director, Division of Emergency Operations, CPR

s. Christine Kosmos, Director, Division of State and Local Readiness, CPR

t. Joanna M. Prasher, Senior Advisor for Medical Countermeasures, Office of Public Health Preparedness and Response (PHPR).

External Parties:

i. Employees of the U.S. Administration for Children and Families, including anyone communicating with an email address ending in @acf.hhs.gov.

ii. Employees of U.S. Customs and Border Patrol, including anyone communicating with an email address ending in @cbp.dhs.gov.

iii. Employees of U.S. Immigration and Customs Enforcement, including anyone communicating with an email address ending in @ice.dhs.gov.

iv. Employees of Texas Department of State Health Services, including anyone communicating with an email address ending in @dshs.texas.gov.

v. Employees of Correct Care Solutions, including anyone communicating with an email address ending in @correctcaresolutions.com.

vi. Employees of Wellpath, including anyone communicating with an email address ending in @wellpath.us.

vii. Employees of H.I.G. Capital, including anyone communicating with an email address ending in @higcapital.com.

viii. Employees of Correctional Medical Group Companies, Inc., including anyone communicating with an email address ending in @cmgcos.com.

ix. Employees of Armor Correctional Health Services, including anyone communicating with an email address ending in @armorcorrectional.com.

x. Employees of Corizon Correctional Healthcare, including anyone communicating with an email address ending in @corizonhealth.com.

xi. Employees of Wexford Health Sources, including anyone communicating with an email address ending in @wexfordhealth.com.

xii. Employees of NaphCare, Inc., including anyone communicating with an email address ending in @naphcare.com.

xiii. Employees of Centene Corporation, including anyone communicating with an email address ending in @centene.com.

While processing your request, the U.S. Department of Human and Health Services (HHS), Centers for Disease Control and Prevention (CDC) located records that fall under the purview of the Department of Homeland Security (DHS). Accordingly, your request and ninety-nine (99) pages of responsive records were referred to this office for processing and direct response to you. This office received your request on January 7, 2020.

Of those pages, I have determined that portions of 9 pages are partially releasable and 90 pages are withheld in their entirety pursuant to Title 5 U.S.C. § 552 (b)(5), (b)(6), and (b)(7)(E), FOIA Exemptions 5, 6, and b7(E).

Enclosed are 9 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, I 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.

**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. I determined that disclosure of these records could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

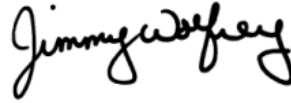
You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0655, 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).

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

If you need any further assistance or would like to discuss any aspect of your request, please contact the analyst below who processed your request and refer to **2020-HQFO-00366**. 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. 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,

A handwritten signature in black ink, appearing to read "Jimmy Wolfrey". The signature is fluid and cursive, with the first name "Jimmy" and last name "Wolfrey" clearly distinguishable.

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

Enclosure(s): Responsive Documents, 9 pages

**From:** Smith, Stewart D  
**Sent:** 5 Jun 2019 13:07:05 +0000  
**To:** (b)(6) Caneva, Duane; (b)(6)

(b)(6)

**Subject:** RE: Public Health on the Southwest Border - DHS Southwest Border Land Migration Contingency Plan  
**Attachments:** DHS Land Migration Land Contingency Plan (Highlighted).pdf

Please see the attached highlighted areas. It seems pretty clear who has medical responsibilities.

R/ Stew

Dr. Stewart D. Smith, MPH, CCHP  
Assistant Director | ICE Health Service Corps

(b)(6)

Executive Assistant: (b)(6)  
"IHSC: One Team, One Mission...Leading the Way in Immigration Health Care"

---

**From:** (b)(6)  
**Sent:** Tuesday, June 4, 2019 3:59 PM  
**To:** Caneva, Duane (b)(6)  
(b)(6)  
(b)(6)  
(b)(6)  
(b)(6) Smith, Stewart D (b)(6) TARANTINO, DAVID A  
(b)(6) Valverde, Michael (b)(6)  
(b)(6)  
(b)(6)  
(b)(6)  
Eastman, Alexander (b)(6)  
(b)(6)  
(b)(6)  
(b)(6)  
**Subject:** Public Health on the Southwest Border - DHS Southwest Border Land Migration Contingency Plan

Ladies and Gentlemen:

In follow up to our meeting from yesterday afternoon, I am attaching a copy of the DHS Southwest Border Land Migration Contingency Plan; signed by DHS Secretary Jeh Johnson on 28 Aug 2015 and distributed to DHS Components. The document is UNCLASS//FOUO, but is considered Law Enforcement Sensitive.

The plan is dated and does not have an Annex Q (Medical Plan), but it is a place to start and worth our while to review the efforts of those working the Southwest Border issue 4 years ago.

I ask you to review this prior to our next meeting on 10 June 2019.

Thanks to Alex Eastman and Duane Caneva for obtaining and providing this document for our use.

Respectfully,

(b)(6)

(b)(6)

(b)(6)

Resilience Policy Directorate

National Security Council

(b)(6)

Though direction changes, the process of building national policy doesn't; articulate the vision, build the team, accomplish the task.



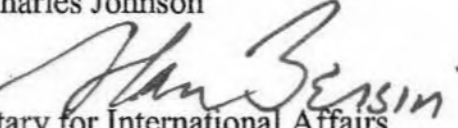
**Homeland  
Security**

JUL 30 2015

**ACTION**

MEMORANDUM FOR: Secretary Jeh Charles Johnson

FROM:

Alan D. Bersin   
Assistant Secretary for International Affairs  
& Chief Diplomatic Officer, PLCY

SUBJECT:

**DHS Southwest Border Land Migration Contingency  
Plan**

(b)(5)



~~FOR OFFICIAL USE ONLY~~

(b)(5)

Approval/date  8/28 Disapprove/date \_\_\_\_\_

Modify/date \_\_\_\_\_ Needs discussion/date \_\_\_\_\_

Attachments





# Homeland Security

## MEMORANDUM FOR DHS COMPONENTS

FROM: Jeh Charles Johnson   
Secretary

SUBJECT: DHS Southwest Border Land Migration Contingency Plan

The DHS Southwest Border Land Migration Contingency Plan is approved as a branch-specific contingency plan under the DHS Campaign Plan for Securing the U.S. Southern Border and Approaches.

DHS Components, Directorates, Offices, and Joint Task Forces will conduct activities consistent with this plan. The DHS Office of Policy will maintain this plan and oversee the publishing and updating of detailed annexes to provide further operational details where appropriate.

This plan will be reviewed no later than two years from this date.

Please direct any questions you may have to (b)(6)

(b)(6)

Attachment

## Distribution

Science and Technology Directorate  
Management Directorate  
National Protection and Programs Directorate  
Office of Intelligence and Analysis  
U.S. Customs and Border Protection  
United States Coast Guard  
United States Secret Service  
U.S. Citizenship and Immigration Services  
Federal Emergency Management Agency  
Transportation Security Administration  
U.S. Immigration and Customs Enforcement  
Office of the General Counsel  
Office of Inspector General  
Federal Law Enforcement Training Center  
Domestic Nuclear Detection Office  
Office of Policy  
Office of Legislative Affairs  
Office of Public Affairs  
Office of Health Affairs  
Office of the Military Advisor  
Office of Operations Coordination and Planning  
Office for Civil Rights and Civil Liberties  
Office of the Chief Privacy Officer  
Office of Intergovernmental Affairs (and Partnership Engagement)  
Citizenship and Immigration Services Ombudsman

UNITED STATES DEPARTMENT OF HOMELAND SECURITY



# DHS Southwest Border Land Migration Contingency Plan

August 6, 2015

WARNING: This document is ~~FOR OFFICIAL USE ONLY (FOUO)~~. It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with U.S. Department of Homeland Security (DHS) policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official.



Homeland  
Security

December 23, 2015

**ACTION**

MEMORANDUM FOR THE SECRETARY

FROM:

Peter F. Verga  
Defense Advisor

A handwritten signature in black ink, appearing to read "P. Verga".

SUBJECT:

**JTF-W Recommendation to Change the Southwest Border  
Land Migration from Phase 1 to Phase 2**

---

**Purpose:** To gain your approval to transition the Department of Homeland Security (DHS) Southwest Border Land Migration Contingency Plan operations from Phase 1 to Phase 2.

**Background:** JTF-W recommends changing the DHS Southwest Border Land Migration Contingency Plan from Phase 1 to Phase 2 based on the significant influx of illegal entrants which has strained much of the immigration detention system. The JTF-W recommendation, including details of the current state for detained unaccompanied children and adults and representative actions JTF-W will coordinate upon transition to Phase 2, is located at Attachment A. The JTF-W land migration assessment tool, listing the factors considered by the JTF Director in making his recommendation, is located at Attachment B. If you approve the Land Migration Contingency Plan Phase change, a list of specific actions to be taken is located at Attachment C.

The recommendation has been coordinated with the relevant Components and discussed with Component leadership during our daily coordination calls.

The DHS Secretary approves Land Migration Contingency Plan phase changes in accordance with the DHS Land Migration Contingency Plan you approved earlier this year.

**Recommendation:** Approve Land Migration Contingency Plan change from Phase 1 to Phase 2. Upon approval, this phase change will be promulgated through the DHS National Operations Center.



FOR OFFICIAL USE ONLY

Approve/date  2/14 Disapprove/date \_\_\_\_\_

Modify/date \_\_\_\_\_ Needs discussion/date \_\_\_\_\_

Attachments:

- A. JTF-W Phase Change Recommendation.
- B. JTF-W Land Migration Assessment Tool
- C. JTF-W List of Specific Actions