



**U.S. Customs and
Border Protection**

Response released via FOIAonline account.

January 15, 2020

CBP-2020-011002

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

Dear Mr. Evers:

This is a final response to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP), on behalf of American Oversight which was dated November 8, 2019 and received in our office on November 8, 2019. In your request you are seeking records created between April 1, 2019 and January 14, 2020 which are sufficient to identify the frequency of each category of determination in credible fear interviews conducted by border patrol agents, including percentage of cases: (1) Found to involve a credible fear, (2) Found not to involve credible fear, and (3) Where it was not possible to make a determination.

We conducted a comprehensive search of files within CBP for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records.

This completes the CBP response to your request. You may contact CBP's FOIA Public Liaison, Charlyse Hoskins, by sending an email via your FOIAonline account, mailing a letter to 90 K St, NE MS 1181, Washington DC, 20229 or by calling 202-325-0150. The FOIA Public Liaison is able to assist in advising on the requirements for submitting a request, assist with narrowing the scope of a request, assist in reducing delays by advising the requester on the type of records to request, suggesting agency offices that may have responsive records and receive questions or concerns about the agency's FOIA process.

While an adequate search was conducted, you have the right to appeal this determination that no records exist within CBP that would be responsive to your request. Should you wish to do so, you must file your appeal within 90 days of the date of this letter following the procedures outlined in the DHS regulations at Title 6 C.F.R. §5.9. Please include as much information as possible to help us understand the grounds for your appeal. You should submit your appeal via FOIAonline by clicking on the "Create Appeal" button that appears when you view your initial request. If you do not have computer access, you

may send your appeal and a copy of this letter to: FOIA Appeals, Policy and Litigation Branch, U.S. Customs and Border Protection, 90 K Street, NE, 10th Floor, Washington, DC 20229-1177. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

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.

Please notate file number CBP-2020-011002 on any future correspondence to CBP related to this request.

Sincerely,

CBP FOIA Division
U.S. Customs and Border Protection