U.S. Department of Homeland Security
Intelligence and Analysis
Washington, DC 20528

Homeland Security

August 17, 2020

SENT VIA EMAIL TO: foia@americanoversight.org

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

Re: 2020-IAFO-00221

Dear Mr. Evers:

This letter is the final response to your June 10, 2020, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Intelligence and Analysis (I&A) for the following information:

> 1. Any database, spreadsheet, or other document used or potentially used, for the tracking, monitoring, surveillance, or investigation of protesters, demonstrators, organizers, coordinators, members of the press, or other individuals present at protests or activities surrounding those protests (including purportedly unlawful activities) sparked by the police killing of George Floyd on May 25, 2020, including potential or purported unlawful activity, "civil unrest," "civil disturbance," or threats to public safety. Tracking and surveillance includes any identification, observation, monitoring, or recording of individuals, groups, or social media accounts, whether by physical or electronic means, including but not limited to the use of aircraft, drones, international mobile subscriber identity (IMSI) catcher devices, facial recognition technology, or other software. Please provide all responsive records from May 26, 2020 to the date the search is conducted.
>
> 2. Any guidance (including directives, memoranda, protocols, or other records reflecting guidance) developed by or provided to your agency regarding the tracking, monitoring, surveillance, or investigation of protesters, demonstrators, organizers, coordinators, members of the press, or other individuals present at the nationwide protests or activities surrounding those protests (including purportedly unlawful activities) sparked by the police killing of George Floyd on May 25, 2020, including potential or purported unlawful activity, "civil unrest," "civil disturbance," or threats to public safety. Tracking and surveillance includes any identification, observation, monitoring, or recording of individuals, groups, or social media accounts, whether by physical or electronic means, including but not limited to the use of aircraft, drones, international mobile subscriber identity (IMSI) catcher devices, facial recognition technology, or other software.

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While an adequate search was conducted by I&A, no records responsive to your request were found.

You have the right to appeal this determination that no records exist within I&A that would be responsive to your request. 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.

You may contact the FOIA Requester Service Center for the Intelligence and Analysis (I&A), for any further assistance; to discuss any aspect of your request; to discuss reformulation of your request; and/or to discuss an alternative time frame for the processing of your request at:
U.S. Department of Homeland Security
Intelligence and Analysis (I&A)
Email: I&AFOIA@HQ.DHS.GOV
Telephone: (202) 282-8826
Refer to **2020-IAFO-00221**

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:
Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll free: 1-877-684-6448
Fax: 202-741-5769

Please note that contacting any agency official (including the FOIA analyst, FOIA Requester Service Center, FOIA Public Liaison) and/or OGIS **is not** an alternative to filing an administrative appeal and **does not** stop the 90-day appeal clock.

Sincerely,

Priscilla Waters
Priscilla Waters
Assistant FOIA Officer

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