U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

October 27, 2020

SENT VIA E-MAIL TO: foia@americanoversight.org

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

Re: **2020-HQFO-01697**
2020-IAFO-00221

Dear Mr. Evers:

This is the final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated June 10, 2020, and received by this office on August 21, 2020. You are seeking:

> 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.
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> 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

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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.

In this case, while we conducted a comprehensive search of the Department of Homeland Security (DHS), Intelligence and Analysis (I&A), no responsive records relating to your request were located.

You may contact the FOIA Public Liaison at 202-343-1743 or 866-431-0486 for any further assistance and to discuss any aspect of your request. You may also contact OGIS at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is 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.

If you are not satisfied with the response to this request, you may administratively appeal by writing to: U.S. Department of Homeland Security, 245 Murray Lane SW, STOP-0655, Washington, DC 20528, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.8. Your envelope and letter should be marked "FOIA Appeal." Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the $14.00 minimum, there is no charge. 6 CFR § 5.11(d)(4).

If you need to contact our office again about this matter, please refer to **2020-HQFO-01697**. This office can be reached at 202-343-1743 or 866-431-0486 or at foia@hq.dhs.gov
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Sincerely,

James V.M.L. Holzer, I

James Holzer
Deputy Chief FOIA Officer

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