

December 20, 2021

SENT BY ELECTRONIC MAIL TO: nsus@citizensforethics.org

Nik Sus
Citizens for Responsibility and Ethics in Washington
1101 K Street, N.W., Suite 201
Washington, D.C. 20005

Re: **Citizens for Responsibility and Ethics in Washington v. United States Department of Justice and United States Department of Homeland Security, 20 Civ. 2553 (TJK)**

Tenth Interim Response for FOIA request CBP-2020-067908

Dear Nik Sus:

This is a tenth interim response to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP) submitted June 23, 2020.

For this production, CBP processed seventy-seven hundred and seventeen (7717) pages of documents in response to your request and the similar request from the plaintiffs in *Black Alliance for Just Immigration v. CBP*, Civ No. 20-5198-CBA-RLM (E.D.N.Y) (the *BAJI* case), that were determined to be responsive to the request in the *BAJI* case. CBP has determined forty-nine hundred and twenty-eight (4928) pages may be released in full or in part with redactions pursuant to Title 5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and (b)(7)(F). CBP has determined that twenty-seven hundred and eighty-nine (2789) pages are being withheld in full pursuant to Title 5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and (b)(7)(F).

In addition, CBP has processed an estimated nineteen thousand one hundred and ninety-three (19193) pages of duplicates and non-responsive pages to your request and the similar request in the *BAJI* case. This includes an estimated seven thousand one hundred and twenty-seven (7127) non-responsive pages and an estimated twelve thousand sixty-six (12066) duplicate pages.

Please be advised some of the released pages in this interim response will contain a redaction mark “OGA Information” or “OGA Information, Sent for Consult”. Pages with those marks are in the process of being sent for consultation. Once a determination has been made by any Other Governmental Agency (OGA), an updated interim response will be sent.

Information regarding the applicable exemptions and response can be found at the following link: <https://www.cbp.gov/document/guidance/exemption-definitions>. Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

As this matter is in litigation, please contact Assistant United States Attorney John Truong (john.truong@usdoj.gov) if there are any questions concerning this response.

Please notate file number CBP-2020-067908 on any future correspondence to CBP related to this request.

Sincerely,

FOIA Division
U.S. Customs and Border Protection