

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY *et al.*,

Defendants.

Civil Action No. 18-cv-2473

DECLARATION OF DONNA ROY

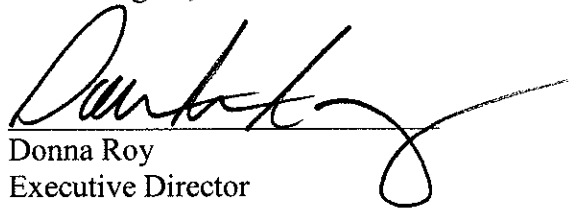
I, Donna Roy, hereby make the following declaration under penalty of perjury pursuant to 28 U.S.C. § 1746 and submit this declaration in support of Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint.

1. I am the Executive Director of the Information Sharing and Service Office, within the Office of the Chief Information Officer, U.S. Department of Homeland Security (DHS). I am responsible for assisting the DHS Chief Records Officer in performing his duties under relevant law and DHS policy. This declaration is based on my personal knowledge and on information that I reviewed pertaining to my official duties as an employee of DHS.
2. I am aware of the allegations in Plaintiffs' Second Amended Complaint, which claim that DHS Directive 141-01 and DHS Instruction 141-01-001 are inadequate because they do not include or make reference to the records creation requirements set forth in 44 U.S.C. § 3101 and 36 C.F.R. § 1222.22. The versions of DHS Directive 141-01 and DHS Instruction 141-01-001 attached to Plaintiffs' Second Amended Complaint are intended to, and do, require

compliance with all Federal Records Act requirements, including those set forth in 44 U.S.C. § 3101 and 36 C.F.R. § 1222.22. However, in the interest of removing any doubt that these policies comport with the FRA, the Department has revised Instruction 141-01-001 in order to clarify that the requirements of 44 U.S.C. § 3101 and 36 C.F.R. § 1222.22 are among the FRA requirements with which DHS employees must comply. The revised Instruction does not substantively change DHS's policy on this issue.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this ninth day of September, 2019 in Washington, D.C.

A handwritten signature in black ink, appearing to read "Donna Roy", with a long, sweeping flourish extending to the right.

Donna Roy
Executive Director
Information Sharing and Services Office
Office of the Chief Information Officer
Department of Homeland Security