

ICE Clarification Request FOIA Number 2019-ICFO-44618

ice-foia@dhs.gov

Tue 7/2/2019 9:12 AM

To: Ford, Kara <KaraFord@eversheds-sutherland.us>

July 02, 2019

Kara Ford
Eversheds Sutherland, LLP
1114 Avenue of the Americas
40th Floor
New York, NY 10036

RE: ICE FOIA Case Number 2019-ICFO-44618

This e-mail is in regards to your June 17, 2019 ICE FOIA request for 1. All memoranda, policies, procedures, guidance, guidelines, training modules, and directives that reference DAS or that apply to the use or functioning of DAS. 2. Documents sufficient to identify the "Commercial Vendor" referenced in Section 2.3 of the September 2017 Privacy Impact Assessment (DHS/ICE DAS/PIA-048). 3. All records that constitute or contain agreements with outside agencies, private companies, and /or their respective employees about DAS, including, but not limited to, memoranda of understanding, statements of work, and purchase orders. 4. All communications (including email correspondence) with outside agencies, private companies and/or their respective employees about DAS. 5. All memoranda, policies, procedures, guidance, guidelines, training modules, and directives that apply to the datasets and data inputs used by the DAS or related systems, and that apply to the generation and use of "Information Referrals" as defined in the September 2017 Privacy Impact Assessment (DHS/ICE DAS/PIA- 048). 6. All records that constitute or contain ICE's security and privacy standards for using PII.22 7 . All records that contain or constitute the results of testing or evaluations of DAS or the tools used by non-DHS entities, including, but not limited to, commercial vendors..

After careful review of your FOIA request, we determined that your request is **too broad in scope**, did not specifically identify the records which you are seeking, or only posed questions to the agency. Records must be described in reasonably sufficient detail to enable government employees who are familiar with the subject area to locate records without placing an unreasonable burden upon the agency. For this reason, §5.3(b) of the DHS regulations, 6 C.F.R. Part 5, require that you describe the records you are seeking with as much information as possible to ensure that our search can locate them with a reasonable amount of effort. Whenever possible, a request should include specific information about each record sought, such as the date, title or name, author, recipients, and subject matter of the records, if known, or the ICE program office you believe created and/or controls the record. The FOIA does not require an agency to create new records, answer questions posed by requesters, or attempt to interpret a request that does not identify specific records.

Please resubmit your request containing a reasonable description of the records you are seeking. Upon receipt of a perfected request, you will be advised as to the status of your request.

If we do not hear from you within 30 days from the date of this letter, we will assume you are no longer interested in this FOIA request, and the case will be administratively closed. Please be advised that this action is not a denial of your request and will not preclude you from filing other requests in the future.

Sincerely,

ICE FOIA