

# The Identity Project

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May 20, 2011

FOIA Officer  
Office of Civil Rights and Civil Liberties  
U.S. Department of Homeland Security  
Washington, D.C. 20528

(by e-mail to "CRCL@dhs.gov")

**FOIA REQUEST**  
**Fee benefit requested**  
**Fee waiver requested**

Dear FOIA Officer:

This is a request pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552.

We request access to and copies of:

- (1) Any records pertaining to the designation of the Department of Homeland Security (DHS) Officer for Civil Rights and Civil Liberties as the single contact officer responsible for overall coordination of the implementation of Executive Order by the DHS, including but not limited to any orders or directives formalizing such a designation and any communications between the Office for Civil Rights and Civil Liberties (CRCL) and the Office of the Secretary of Homeland Security or other DHS components or other executive offices or departments regarding such a designation, the need or potential need for such a designation, and/or the absence of such a designation.
- (2) Any public notices promulgated by CRCL pertaining to the designation of the Officer for Civil Rights and Civil Liberties as the single contact officer responsible for overall coordination of the implementation of Executive Order by the DHS.
- (3) Any information distributed to DHS components pertaining to the designation of the Officer for Civil Rights and Civil Liberties as the single contact officer responsible for overall coordination of the implementation of Executive Order by the DHS.
- (4) Any records pertaining to any prior designation of such a single contact officer for implementation of Executive Order 13107 by the DHS, since the creation of DHS.

- (5) Any records pertaining to responsibility for implementation of Executive Order 13107 by DHS and/or DHS components prior to the first designation of such a single contact office for implementation of Executive Order 13107 by DHS.
- (6) Any policies, procedures, communications, or other records pertaining to the handling by CRCL of complaints of alleged violations by the DHS or DHS components of U.S. obligations pursuant to international human rights treaties received prior to the designation of the Officer for Civil Rights and Civil Liberties as the single contact officer for implementation of Executive Order by the DHS.
- (7) Any policies, procedures, directives, instructions, or advice for use within CRCL or by other DHS components pertaining to the receipt, processing, investigation, referral, logging, reporting, and/or response to complaints of alleged violations by the DHS or DHS components of U.S. obligations pursuant to international human rights treaties, including but not limited to those pertaining to complaints received in the course of DHS and/or component rulemakings, complaints received by DHS components, and complaints received through the "Traveler Redress Inquiry Program" (TRIP).
- (8) Any logs, docket lists, reports, or similar records that have been generated from the "CRCL database" or otherwise by or for the use of CRCL pertaining to complaints of alleged violations by the DHS or DHS components of U.S. obligations pursuant to international human rights treaties, including but not limited to any reports that identify such complaints as a category of complaints to DHS, or that pertain to the number of such complaints, the DHS components by which they been received or to which they pertain, which provisions of which treaties have they alleged to have been violated, how they have been handled, what the disposition of them has been, what (if any) response has been provided to the complainants, how much time has elapsed between receipt and response to complaints, and/or how many such complaints remain pending.

As a representative of the news media we are only required to pay for the direct cost of duplication after the first 100 pages. Through this request, we are gathering information on DHS procedures that is of current interest to the public because without this information, there is no way for members of the public to know how or to whom to complain of human rights violations by DHS, to understand how such complaints are supposed to be handled, or to know what sorts of complaints have been made and how they have, in fact, been handled. This information is being sought on behalf of The Identity Project ("IDP"). IDP provides advice, assistance, publicity, and legal defense to those who find their rights infringed or their legitimate activities curtailed by demands for identification, and builds public awareness about the effects of ID requirements on fundamental rights. IDP is a program of the First Amendment Project, a nonprofit organization providing legal and educational resources dedicated to protecting and promoting First Amendment rights.

This information will be made available to the public. One of the principal activities of IDP is publication of the informational and educational Web site at <<http://www.papersPlease.org>>, where we have published documents obtained in response to our previous FOIA requests.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. The records we are requesting clearly relate to government operations and activities. It is in the public interest for the public to how their complaints are supposed to be handled, how they are being handled, and whether and if so how the DHS is fulfilling its duties pursuant to Executive Order 13107.

If our request is denied in whole or part, we ask that you justify all deletions by reference to specific exemptions of the act. We will also expect you to release all segregable portions of otherwise exempt material. We, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Please respond as soon as possible (including by e-mail, since this request is being submitted by e-mail) to confirm your receipt of this request. We look forward to your complete reply within 20 business days, as the statute requires.

Sincerely,

Edward Hasbrouck  
The Identity Project