

The Identity Project
(PapersPlease.org)
1736 Franklin Street, 9th Floor
Oakland, CA 94612
510-208-7744 (office)
415-824-0214 (cell/mobile)

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Amtrak FOIA Office
60 Massachusetts Avenue, NE
Washington, DC 20002

via USPS and via e-mail to <foiarequests@amtrak.com>

FOIA Request
Fee benefit requested
Fee waiver requested

Dear FOIA Officer:

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

I request access to and copies of:

- (1) Any records of policies, procedures, technical specifications, contracts (including agency appointment agreements), or directives to staff, contractors, or agents pertaining to transfers of data about Amtrak passengers or customers to the Department of Homeland Security (DHS), any DHS component including US Customs and Border Protection (USCBP), the Canadian Border Services Agency (CBSA), any other Canadian government agency, or any other foreign government, or the subsequent handling or use of such data, including without limitation Advanced Passenger Information (API) and any personally identifiable data obtained or derived from the ARROW reservation system.
- (2) Any records pertaining to the legal basis for such data transfers, including any e-mail messages pertaining to this subject within or between Amtrak, Amtrak agents, Amtrak contractors, and any third party or parties.

- (3) Any records of policies, procedures, technical specifications, contracts (including agency appointment agreements), or directives to staff, contractors, or agents (including without limitation travel agencies and agents authorized to sell Amtrak tickets, and other ARROW users) regarding disclosures to be made concerning transfers of data about Amtrak passengers or customers to government agencies including DHS.
- (4) Any records of policies, procedures, reports, or directives to staff, contractors, or agents (including without limitation travel agencies and agents authorized to sell Amtrak tickets, and other ARROW users) regarding compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA) of Canada, including handling of requests for records or other requests or complaints made pursuant to PIPEDA and any disclosures to be made to passengers or customers.
- (5) Any e-mail messages within or between Amtrak and Amtrak agents, Amtrak contractors, and any third party or parties containing any of the text strings "Personal Information Protection and Electronic Documents Act", "PIPEDA", or "Privacy Commissioner of Canada".
- (6) Any electronic file in which any of the above records are included.
- (7) All metadata pertaining to any such file, such as file system information indicating the creation data, modification date, etc.

I request that all responsive records be provided in electronic form.

With respect to any records held in electronic form, I request that they be provided in the original electronic form in which they are held, as complete bitwise digital copies of the original e-mail archive files, word processing files, or other electronic files, including any file headers, embedded metadata, and all other file content. All such data is subject to FOIA and is expressly included within the scope of this request for records.

With respect to any e-mail messages included in the responsive records, I specifically request access to and copies of the complete informational content of the underlying electronic records, in their full and complete form including all headers and attachments, fully expanded e-mail addresses, full addresses for address "aliases", full lists for "distribution list" aliases, and all related metadata.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on Amtrak policies and procedures that is of current interest to the public as part of widespread public interest in data sharing between travel companies and government agencies. This information is being sought on behalf of The Identity Project (“IDP”). 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. The principal activity 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 and reports on Amtrak policies and practices such as those to which the requested records pertain, e.g. at <http://papersplease.org/wp/2011/05/23/senator-wants-more-id-based-controls-on-rail-passengers/>.

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 know how Amtrak reservation records, and data derived from them, are shared with other government agencies, what if any polices govern such data-sharing practices.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions. I will also expect you to release all segregable portions of otherwise exempt material. I, 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 to confirm your receipt of this request. I look forward to your complete reply within 20 business days, as the FOIA statute requires.

Edward Hasbrouck