



U.S. Immigration
and Customs
Enforcement

July 31, 2012

Catherine Crump
ACLU of Massachusetts
125 Broad Street, 17th Floor
New York, NY 10004

RE: 2012FOIA019286

Dear Ms. Crump:

This acknowledges receipt of your July 30, 2012 Freedom of Information Act (FOIA) request to the Immigration and Customs Enforcement (ICE), for records regarding automatic license plate readers (ALPRs).

ALPRs are cameras mounted on stationary objects (telephone poles, the underside of bridges, etc.) or on patrol cars. The cameras snap a photograph of every license plate that passes them by-capturing information on up to thousands of cars per minute. The devices convert each license plate number into machine-readable text and checks them against agency selected databases or manually-entered license plate numbers, providing an alert whenever a match or "hit" appears.

Please provide copies of the following records created from January 1, 2006 to the present:

- 1 All records regarding your policies, practices and procedures for procuring and using ALPR technology; for storing, accessing and sharing data obtained through ALPR technology, and for funding the acquisition and use of ALPR technology by other federal, state and local governmental agencies;
2. All records regarding the procurement of ALPR technology, including
 - a. sources of funds used to pay for ALPR technology;
 - b. invoices for the purchase of ALPR technology;
 - c. interactions With vendors, suppliers and potential suppliers of ALPR technology, including materials and fact sheets supplied by vendors describing their products;
3. All records regarding the use of ALPR technology, including
 - a. what types of data are obtained;
 - b. number of license plates scanned and/or read in a given time period (day, month, year,. etc.);
 - c. the number of ALPR units or systems acquired;
 - d. the number of vehicles equipped with ALPR technology;
 - e. for stationary deployments, the number and physical location of ALPR units;
 - f. the technical capabilities of the ALPR units;

4. All records regarding the storage of data obtained using ALPR technology, including
 - a. what types of data are stored for any period longer than an hour;
 - b. how long data is stored;
 - c. when data must be discarded;
 - d. how many individual license plate scan records your agency currently stores;
5. All records regarding access to ALPR data. Including
 - a. the legal justification required before an individual accesses ALPR data;
 - b. purposes for which the data may be accessed;
 - c. purposes for which the data may not be accessed;
 - d. who may access the data, what procedures they must go through to obtain access, and who must authorize access;
 - e. the existence or non-existence of a system that records who accesses the data and when the data is accessed;
6. All records regarding the sharing of data obtained through ALPR technology, including
 - a. what type of data is shared;
 - b. which databases your agency puts collected ALPR data into;
 - c. third parties, governmental or private, that may access your agency's ALPR data, including what procedures third parties must go through in order to access the data and any restrictions placed on third parties regarding further sharing of your ALPR data;
 - d. any agreements to share ALPR data with outside agencies, corporations or other entities;
 - e. auditing mechanisms in place to govern access to ALPR data;
7. All records regarding obtaining ALPR data from third parties, including
 - a. which databases your agency can access;
 - b. memoranda of understanding or agreements regarding how data is to be shared;
 - c. transfer of ALPR data from state or local agencies to your or other federal agencies;
8. All records regarding the development or implementation of any federal ALPR database, or the inclusion of ALPR data in already existing ALPR databases, including information showing which federal, state and local agencies are pooling ALPR data
9. All training materials used to instruct members of your agency in ALPR deployment, data management, or operation of automated records systems that contain ALPR data to which any member of your agency has access, including regional, federal or other shared ALPR databases
10. All records regarding your funding of the acquisition and use of ALPR technology or data by other federal, state and local governmental entities, including
 - a. funding or grants to state or local agencies to purchase ALPR units, or to purchase access to ALPR data;
 - b. funding figures broken down by recipient;
 - c. conditions recipients must fulfill in order to receive funding for ALPR technology from your agency;
11. All records describing how ALPR data are, can be or will be integrated into existing federal data-mining programs, including but not limited to N-Dex., and how the data will be or is included in the FBI's next Generation Identification database. Your request was received in this office on July 31, 2012.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, the Department processes FOIA requests according to their order of receipt. Although DHS' goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, DHS will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner; however, there are currently 3978 open requests ahead of yours.

Provisions of the Act allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to media requesters. As a media requester you will be charged 10-cents a page for duplication, although the first 100 pages are free. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

We have queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2012FOIA19286**. Please refer to this identifier in any future correspondence. You may contact this office at (866) 633-1182. Our mailing address is 500 12th Street, S.W., Stop 5009, Washington, D.C. 20536-5009.

Sincerely,


Katrina M. Pavlik-Keenan
FOIA Officer