



**U.S. Customs and
Border Protection**
CBP-2012-030215

June 25, 2015

Nathan Freed Wessler
Staff Attorney, ACLU
125 Broad Street, 18th Floor
New York, NY 10004

Dear Mr. Wessler:

This is a fifth and final response to an ACLU Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP), originally submitted by Catherine Crump, with yourself as the new ACLU point of contact. The request covered several types of records pertaining to CBP's use of cameras and other technology at or near any Border Patrol checkpoints in New Mexico, including License Plate Readers, facial recognition, etc.

Please note that under our new tracking system, the request number is CBP-2012-030215, the request number was 2012F27987 in our previous tracking system. You may refer to either number in your correspondence.

This fifth response has produced a total of 183 pages of records responsive to your request. CBP has determined that 183 pages of the records are partially released, pursuant to Title 5 U.S.C. § 552 (b)(6), (b)(7)(C), and (b)(7)(E). An additional three documents, totaling 18 pages, were withheld in full pursuant to Title 5 U.S.C. § 552 (b)(6), (b)(7)(C), and (b)(7)(E).

Exemption (b)(6) exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. [*The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, driver license, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.*] The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

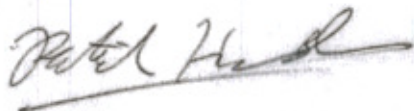
Exemption (b)(7)(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate.

Exemption (b)(7)(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

This is the final disclosure of information you will receive from CBP FOIA in response to this FOIA request.

This office may be reached at (202) 325-0150. Please notate file number CBP-2012-030215 or 2012F27987 on any future correspondence to CBP related to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Howard", with a horizontal line underneath it.

Patrick Howard
Branch Chief
U.S. Customs and Border Protection, FOIA Division
Privacy and Diversity Office

Enclosure(s)

U.S. Customs and
Border Protection

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