

# EXHIBIT A

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
2019-ICLI-00017	49-58	Partial	(b)(5)	<p><b>Email titled “Meeting on Vetting re: Immediate Actions”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemptions (b)(5) was used on internal discussions between ICE employees regarding the drafting and recommendations on a briefing package on the use of open source in law enforcement investigations.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the</p>

<sup>1</sup> Plaintiffs have agreed not to challenge any withholdings under FOIA Exemptions (b)(6) and (b)(7)(C). Additionally, there were several other withholdings that ICE made under FOIA Exemptions (b)(4), (b)(5), and (b)(7)(E) that Plaintiffs have agreed not to challenge. These withholdings have not been included within ICE’s *Vaughn* Index.

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	62-63	Partial	(b)(5)	<p><b>Email titled "Social Locator for OST SOP"</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemptions (b)(5) was used on internal discussions between ICE employees discussing draft contract language regarding Social Locator technology.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	106-110	Partial	(b)(7)(E)	<p><b>PowerPoint: HSI Patriot Social Medial Pilot Program</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on screen shots of databases and software used by law enforcement during the course of their investigations which contains URLs, database tabs, and functions.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>expected to risk circumvention of the law. Disclosure of what databases law enforcement officers use, how they access those databases, the various tabs and data contained within this software, including the domain names and addresses could assist third parties in accessing these databases and, were they able to gain access to these databases, could enable an individual to navigate, alter, and/or manipulate these law enforcement databases. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	145-157	Full	(b)(7)(E)	<p><b>PowerPoint titled “Tips for Open Source Analysis Research without TECS”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on tips for using open source research to conduct law enforcement investigations, including what open source sites law enforcement officers should use, how to use those sites, what to do with the results of the research and other investigative tips.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	161-167	Full	(b)(7)(E)	<p><b>PowerPoint titled “Discussing Intelligence Assessments”</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Bates number 2019-ICLI-00017.00161 through 2019-ICLI-00017.00167 was withheld in full under FOIA Exemptions (b)(7)(E) as these pages contain an intelligence assessment prepared by the HSI Office of Intelligence and Analysis regarding possible pitfalls and opportunities to detect terrorist activities.</p> <p><b>Reason for Redaction</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the intelligence assessments prepared to forecast and recommend courses of action based upon both public and covert information regarding terrorist activities and how to avoid pitfalls and utilize opportunities could assist third parties in circumventing the law and avoid detection by providing them a blueprint of what law enforcement officers know, what they anticipate, and how they plan to take investigative steps. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	208-218	Full	(b)(7)(E)	<p><b>Pages from the Document titled “NCTC Pursuit Open Source Tips and Tricks”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Bates number 2019-ICLI-00017.00208 through 2019-ICLI-00017.00218 was withheld in full under FOIA Exemptions (b)(7)(E) as these pages contain tips for using open source</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>research to conduct law enforcement investigations, tradecraft, how to counter risks, and what open source sites law enforcement officers should use, how to use those sites, what to do with the results.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	247-248, 251-254, 262-286, 288-299, 304-307, 309-313,	Partial	(b)(E)	<b>Pages from PowerPoints and Training Documents titled “Homeland Security Investigation Counterterrorism and Criminal Exploitation Unit (CTCEU),” a 108 page document, “CTCEU Social Media Exploitation,” a 9 page</b>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
	316-320, 328-330, 334, 336, 347-352, 356-358, 366-367, 373-374, 378, 385, 387-388, 390, 392-392, 399, 406-407, 415, 424-425, 427, 429-430, 437-442, 446-448, 467-469, 473, 476			<p><b>document, “Homeland Security Investigation,” a 28 page document, “CTCEU Social Medial Exploitation DARPA: XDATA and Memez,” a 3 page document, “Homeland Security Investigations CTCEUSocial Medial Exploitation,” an untitled 27 page document, “Homeland Security Investigations CTCEUOpen Source Team,” a 60 page document, “HSI Homeland Security Investigations Counterterrorism and Criminal Exploitation Unit,” an untitled 25 page document.</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on tactics using open source research for locating and researching law enforcement suspects, what sites to research, what data points are used and exploited,, screen shots of how databases should be researched, and other investigative steps.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	509 – 514	Partial	(b)(7)(E)	<p><b>Documents titled HSI Counterterrorism and Criminal Exploitation Unit 2017 Case Surge Summary</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on the number and location of agents who were involved in the PATRIOT program.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the location and number of agents working on a particular law enforcement program could assist a third party in targeting these locations to disrupt law enforcement operations.  Disclosure of information not commonly known to the public</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1159-1175	Partial	(b)(7)(E)	<p><b>Documents titled “VSP Fee Funding Talking Points” and “VSP Fee Funding Talking Points_Addendum”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on estimated numbers and ratios of employees assigned to VSP program offices, the number of locations that would be staffed with a VSP program office, and the identity of each location where a VSP program office would be located.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the location and number of agents working on a particular law enforcement program could assist a third party in targeting these locations to disrupt law enforcement operations. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	596-640 957-1001 1264-1308 1356- 1400 1717-1760 1983-2027	Full	(b)(5) <sup>2</sup>	<p><b>PowerPoint titled “Procurement Sensitive: Performance Work Statement Visa Lifecycle Vetting Initiative”</b></p> <p><b>Redacted Information per (b)(5):</b> This document is an initial, non-final draft of the Performance Work Statement Visa Lifecycle Vetting Initiative.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared by ICE and was in the process of being reviewed by divisions within the Office of Homeland Security Investigations in anticipation of procuring a contract and is in draft form, watermarked with “DRAFT.” The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations</p>

<sup>2</sup> Bates numbered pages 2019-ICLI-00017.1717 through 2019-ICLI-00017.1760 and 2019-ICLI-00017.1983 through 2019-ICLI-00017.2027, incorrectly contained (b)(4) FOIA Exemption markings. The FOIA Exemption used for these markings is (b)(5).

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	812-814 915-916 918-919	Full	(b)(5)	<p><b>Document titled Name of Proposal: “NSID/VSCC Social Media Pilot Program Funding request”</b></p> <p><b>Redacted Information per (b)(5):</b> 2019-ICLI-00017.812 through 2019-ICLI-00017.814 is an initial, non-final draft of the Proposal for the NSID/VSCC Social Media Pilot Program.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p><b>Reason for Redaction(s):</b>                      FOIA exemption (b)(5) was applied to withhold the information contained in this draft document that was prepared by ICE and circulated for comments within the Office of Homeland Security Investigations. This document was prepared in anticipation of procuring a contract and is in draft form, contains highlighted areas, and contains comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	819-830	Full	(b)(5)	<p><b>Portions from the document titled Visa Lifecycle Vetting Initiative (VLVI) Quality Assurance Surveillance Plan”</b></p> <p><b>Redacted Information per (b)(5):</b> 2019-ICLI-00017.819 through 2019-ICLI-00017.830 is an initial, non-final draft of Quality Assurance Surveillance Plan which was produced in 2019-ICLI-00017.856 through 2019-ICLI-00017.867 and 2019-ICLI-00017.895 through 2019-ICLI-00017.907.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document that was prepared by ICE and circulated within divisions of the Office of Homeland Security Investigations for comments and edits. This document was prepared in anticipation of procuring a contract and is in draft form, contains highlighted areas, and contains comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	921	Partial	(b)(7)(E)	<p><b>Email titled “VIVL language”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to the location of targeted law enforcement operations.</p> <p><b>Reason for Redaction</b></p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the locations where law enforcement operations are being targeted could assist a third party in circumventing the law or disrupting these law enforcement operations. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	942-943	Partial	(b)(7)(E)	<p><b>Document titled “Shared Services Vetting Board Briefing”</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to the number of employees on a particular law enforcement operation and the locations of targeted law enforcement operations.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the number of employees assigned during a particular law enforcement operation and/or the location where these operations are being targeted would reveal ICE's resource allocation methods relative to geographic location which can reveal current and future patterns of ICE operations and thus enable a a third party in circumventing the law or disrupting these law enforcement operations. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1002-1007	Partial	(b)(5)	<p><b>Email titled "DD-254"</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemptions (b)(5) was used on internal discussions between ICE employees regarding security classification procedures, who should have access, who makes the decision, and what draft language should be added to a Performance Work Statement.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. ICE employees were discussing how classification specifications should be included in a contract document. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1008-1020	Partial	(b)(5)	<p><b>Email titled “TASKING REQUEST – HSI NSID USE OF FACEBOOK”</b></p> <p><b>Redacted Information per (b)(5):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>Partial redactions pursuant to FOIA Exemptions (b)(5) was used on a draft response and recommended edits to a draft response to a request for information from the Deputy Director of ICE on how ERO and HSI use Facebook data.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The language within these documents is in draft form, states that the information is a draft and the comments have been made by divisions within the Office of Homeland Security Investigations for the purpose of providing accurate information to the Deputy Director. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1112-1113	Partial	(b)(5)	<p><b>Email titled “VSP Screeners Contract”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemptions (b)(5) was used on discussions on whether or not to exercise options under a contract and the issues and recommendations surrounding that decision.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. These records contain discussions between ICE employees expressing their opinions as to the right course of action in regard to exercising contract options. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1114	Partial	(b)(5)	<p><b>Email titled “The availability of unattributable Computers”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemption (b)(5) were used on discussions regarding issues with the analysts running programs, recommended solutions, how to work with the contractors to come to a solution.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>recommendations included within inter-agency or intra-agency memoranda or letters. These records contain discussions between ICE employees expressing their opinions as to the right course of action in regard to issues with performance under a contract. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1117- 1122 1124-1129	Partial	(b)(7)(E)	<p><b>Document titled “NSID – IO Budget Meeting”</b></p> <p><b>Redacted Information per (b)(7)(E):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to the location of targeted law enforcement operations.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the location where law enforcement operations are being targeted could assist a third party in circumventing the law by reducing illegal activities in these areas or disrupting these law enforcement operations. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	1195-1218	Full	(b)(5)	<p><b>Document titled: DHS Streamlined Acquisition Plan Template</b></p> <p><b>Redacted Information per (b)(5):</b>  2019-ICLI-00017.1195 through 2019-ICLI-00017.1128 is an initial, non-final draft of an Acquisition Plan, contains blank</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>signatures and was routed via email requesting suggested revisions.</p> <p><b>Reason for Redaction(s):</b>                      FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared by the ICE Office of Acquisition Management and was sent to the Office of Homeland Security Investigations in anticipation of procuring a contract and is in draft form. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1229-1231	Full	(b)(5)	<p><b>Document titled “Addendum for SCI Access – to DD 254 Processing”</b></p> <p><b>Redacted Information per (b)(5):</b> 2019-ICLI-00017.1229 through 2019-ICLI-00017.1231 is an initial, non-final draft of an addendum to a contract.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document contains tracked changes and is in draft form. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1249-1252	Full	(b)(5)	<p><b>Document titled “Response to Request for Social Media talking Points”</b></p> <p><b>Redacted Information per (b)(5):</b> 2019-ICLI-00017.1249 through 2019-ICLI-00017.1252 is an initial, non-final draft of talking points.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document contains tracked changes and comment bubbles and is in draft form. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1310	Partial	(b)(5)	<p><b>Document titled “Shared Services for Vetting Board Recommendation”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA exemption (b)(5) was applied to recommendations relating to the Social Media pilot program.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p><b>Reason for Redaction(s):</b>                      FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document contains deliberative discussions regarding the recommendations regarding making the pilot program more efficient, why an outside vetting board would be inefficient, and lessons learned of a pilot program that should be taken into account moving forward. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1347-1349	Partial	(b)(7)(E)	<p><b>Document titled “Extreme Vetting-Visa Security Program-PATRIOT”</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to the challenges and recommendations regarding Program PATRIOT.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the challenges particular law enforcement programs have in implementation and how to solve those challenges could assist a third party in either employing counter methods to evade detection and/or disrupt the program. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1442-1459	Partial	(b)(5)	<p><b>Documents titled “Determination to Award Single source BPA,” “Contract Type DF 04-13-2018 VSP &amp; CTCEU Edits,” and “Contract Type DF_OCPO Comments”</b></p> <p><b>Redacted Information per (b)(5):</b> 2019-ICLI-00017.1442 through 2019-ICLI-00017.1459 is an initial, non-final draft of the titled documents.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in these draft documents. These documents were prepared by the ICE Office of Acquisition Management and was sent to divisions within the Office of Homeland Security Investigations for the purpose of securing comments and edits in anticipation of procuring a contract and are in draft form, contains highlighted areas, tracked changes and contains comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1475-1488	Full	(b)(5)	<p><b>Document titled “Visa Lifecycle Vetting Initiative (VLVI) Quality Assurance Surveillance Plan”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1475 through 2019-ICLI-00017.1488 was withheld in full under FOIA Exemption (b)(5) as this document is a draft.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared by a unit within the Office of Homeland</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>Security Investigations and was sent for comments and edits from other divisions and contains tracked changes and comment bubbles and is in draft form. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
2019-ICLI-00017	1490-1511 1633-1655	Full	(b)(5)	<p><b>Document titled “Visa Lifecycle Vetting Initiative (VLVI) Streamlined Acquisition Plan”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1490 through 2019-ICLI-00017.1511 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of an Acquisition Plan.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared by a division within the Office of Homeland Security Investigations and was sent to other divisions within for the purpose of securing comments and edits in anticipation of procuring a contract and is in draft form. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1512-1513 1573-1575	Partial	(b)(5)	<p><b>Email titled “Phase 1 Evaluation Plan”</b></p> <p><b>Redacted Information per (b)(5):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this document regarding a VLVI streamlined acquisition plan, different approaches to staffing, transition, and key personnel.</p> <p><b>Reason for the Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this email that contains plans and recommendations regarding the procurement of a contract. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1521-1524-	Partial	(b)(7)(E)	<p><b>Document titled “Attachment A Performance Work Statement”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to the law enforcement objectives to be accomplished</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>under the terms of the contract, including the mode and methods used to conduct law enforcement investigations.</p> <p><b>Reason for Redaction</b>                      Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the requested modes and methods used to assist in law enforcement investigations under the contract could assist a third party in either employing counter methods to evade detection and/or disrupt the operation. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p> <p><b>Redacted Information per (b)(5):</b>                      FOIA exemption (b)(5) was applied to draft deliverable schedules and clarification requests contained within this document.</p> <p><b>Reason for the Redaction(s):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>FOIA exemption (b)(5) was applied to withhold the information contained in this document that is a draft and contains highlights and strikethroughs. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
2019-ICLI-00017	1577-1580	Full	(b)(5)	<p><b>Document titled “Past Performance Questionnaire”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1578 through 2019-ICLI-00017.1580 was withheld in full as this is an initial non final draft document.</p> <p><b>Reason for the Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document contains gaps of information, missing fields that have yet to be inputted and have been sent for the purposes of securing the missing information. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1581-1603, 1685-1707	Full	(b)(5)	<p><b>Document titled “DHS, ICE, TEP, Visa Lifecycle Vetting Initiative Feb. 15, 2018”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1581 through 2019-ICLI-00017.1603 and 2019-ICLI-00017.1685 through 2019-ICLI-00017.1707 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of an Acquisition Plan.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared in anticipation of procuring a contract and is in draft form and contains tracked changes and comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1621-1625	Partial	(b)(5)	<p><b>Document titled “Quality Assurance Surveillance Plan March 2018”</b></p> <p><b>Redacted Information per (b)(5):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>FOIA exemption (b)(5) was applied to withhold the draft portions of this document.</p> <p><b>Reason for the Redaction(s):</b>                      FOIA exemption (b)(5) was applied to withhold the initial non final draft document that was used as a templet for creating a Quality Assurance Surveillance Plan in anticipation of securing a contract. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1662-1677	Full	(b)(5)	<p><b>Document titled “Determination to Award Single Source BPA”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1662 through 2019-ICLI-00017.1677 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of a determination on a contract award.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared in anticipation of procuring a contract and is in draft form and contains tracked changes and comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1680-1681	Partial	(b)(7)(E)	<p><b>Document titled “Visa Lifecycle Initiative Summary</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to a summary of the investigative steps taken in law enforcement investigations where the subjects were eventually arrested as a result of the investigation.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the investigative steps taken by law enforcement could assist a third party in countering those law enforcement efforts and/or disrupting the investigations. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1709-1714	Partial	(b)(5)	<p><b>Document titled: “FY 2018 TEOF Request, HIS, NSID, VSCC, Social Media Vetting Pilot Program Funding Request”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemptions (b)(5) was used on internal discussions contained within this document regarding anticipated budget expenses and funds requested.</p> <p>The information contains deliberative material and is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. ICE employees were</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>discussing funding requests and anticipated budgets that should be requested or anticipated. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1761	Partial	(b)(5)	<p><b>Email titled “Companies for Market Research”</b></p> <p><b>Redacted Information per (b)(5):</b> FOIA exemption (b)(5) was applied to withhold discussions regarding potential recommendations on which companies should be solicited by ICE to provide contracts. .</p> <p><b>Reason for the Redaction(s):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>FOIA exemption (b)(5) was applied to withhold internal discussions regarding what companies ICE employees believed should be solicited for a contract. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
2019-ICLI-00017	1763-1786	Full	(b)(5)	<p><b>Document titled: “DHS Streamlined Acquisition Plan Template Visa lifecycle vetting initiative, Feb. 28, 2018</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1763 through 2019-ICLI-00017.1786 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of an Acquisition Plan.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared in anticipation of procuring a contract and is in draft form and contains tracked changes and comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1791	Partial	(b)(5)	<p><b>Memorandum Regarding Request for Contract Modification</b></p> <p><b>Redacted Information per (b)(5):</b> FOIA exemption (b)(5) was applied to discussions regarding a request to modify a contract.</p> <p><b>Reason for the Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold internal discussions between a program analyst and the Executive Director regarding recommendations, comments, and concerns regarding a request to modify a contract. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>
2019-ICLI-00017	1792-1802	Partial	(b)(7)(E)	<p><b>Document titled “Determination Template” with Attachments</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to discussions regarding the number of law</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>enforcement employees assigned to a law enforcement operation as well as the law enforcement employee's training, experience, and expertise.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of number of law enforcement employees and their training could assist a third party in determining how to best counter or evade the law enforcement operation. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	1812-1813	Partial	(b)(7)(E)	<p><b>Document titled “ Open Source/Social Media Exploitation”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on tactics used with open source research for locating and researching law enforcement suspects and other</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>investigative procedures and steps used to conduct open source investigations.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	1814-1817	Partial	(b)(7)(E) <sup>3</sup>	<b>Memorandum Regarding the Notification of intent to create and Internet Open-Source Exploitation Team</b>

<sup>3</sup> The redactions withheld under FOIA Exemption (b)(5) in these pages should have been withheld under FOIA Exemption (b)(7)(E).

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p><b>Redacted Information per (b)(7)(E):</b>                      Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on tactics using open source research for locating and researching law enforcement suspects and other investigative procedures and steps used to conduct open source investigations.</p> <p><b>Reason for Redaction</b>                      Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
2019-ICLI-00017	1818-1826 1964-1965	Partial	(b)(7)(E)	<p><b>Document titled “Counterterrorism and Criminal Exploitation Unit Open Source/Social Media Exploitation”</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on tactics used in open source research for locating and researching law enforcement suspects, locations targeted during law enforcement operations, and other investigative procedures and steps used to conduct open source investigations.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1827-1828	Full	(b)(5), (b)(7)(E) <sup>4</sup>	<p><b>Document titled “ Visa Security Program Social Media Pilot Program”</b></p> <p><b>Redacted Information per (b)(5):</b>                      Pages 2019-ICLI-00017.1827 through 2019-ICLI-00017.1828 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of pertaining to the initiation of the Visa Security Program Social Media Pilot Program and contains deliberative discussions regarding whether to continue the Social Media Pilot Program.</p> <p><b>Reason for Redaction(s):</b>                      FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared in anticipation of continuing the social media program, contains a draft watermark, and discusses the recommendations for moving forward with the program. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-</p>

<sup>4</sup> ICE originally only claimed FOIA Exemption (b)(5) to this draft document, however, ICE is also claiming FOIA Exemption (b)(7)(E).

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was used on tactics using open source research for locating and researching law enforcement suspects, locations targeted during law enforcement operations, and other investigative procedures and steps used to conduct open source investigations.</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	1829-1877	Full	(b)(5), (b)(7)(E)	<p><b>Document titled “Open Source Training Manual”</b></p> <p><b>Redacted Information per (b)(5):</b>  Pages 2019-ICLI-00017.1829 through 2019-ICLI-00017.1877 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of the Open Source Training Manual.</p> <p><b>Reason for Redaction(s):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared to teach law enforcement agents how to use open source information during the course of their investigations and contains tracked changes and comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p> <p><b>Redacted Information per (b)(7)(E):</b>                      Pages 2019-ICLI-00017.1829 through 2019-ICLI-00017.1877 was withheld in full under FOIA Exemption (b)(7)(E) as the document is the manual for how Homeland Security Investigations law enforcement agents conduct open source research during law enforcement investigations.</p> <p><b>Reason for Redaction</b>                      Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1878-1879	Full	(b)(5)	<p><b>Document titled U.S. Immigration and Customs Enforcement Response to White House Report on U.S. Strategy to Combat Terrorists' and Terrorist organizations' Use of Social Media</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1878 through 2019-ICLI-00017.1879 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft containing questions and potential answers to questions posed in White House Report.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared to address questions raised by a White House Report and does not contain the final statements ICE made to address these questions. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1880-1887	Full	(b)(5)	<p><b>Memorandum Regarding Request for Authorization to Use Funds to Provide Training for Analysts Conducting Open Source Research</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1880 through 2019-ICLI-00017.1888 was withheld in full under FOIA Exemption (b)(5) as these documents are an initial, non-final unsigned drafts requesting funds.</p> <p><b>Reason for Redaction(s):</b></p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p>FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared to request funding for training and is unsigned. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
2019-ICLI-00017	1888-1890	Partial	(b)(7)(E)	<p><b>Document titled “Open Source Analyst Training Documents”</b></p> <p><b>Redacted Information per (b)(7)(E):</b>  Partial redactions pursuant to FOIA Exemption (b)(7)(E) was used on the training materials for how Homeland Security Investigations law enforcement analysts conduct open source research during law enforcement investigations.</p> <p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1891-1959	Partial	(b)(5)(b)(7)(E)	<p><b>Document titled “Open Source Team Standard Operational Procedure”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1891 through 2019-ICLI-00017.1959 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of the Open Source Training Manual for Standard Operating Procedures.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared to teach law enforcement agents how to use open source information during the course of their investigations and contains tracked changes and comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications.</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p> <p><b>Redacted Information per (b)(7)(E):</b>  Pages 2019-ICLI-00017.1891 through 2019-ICLI-00017.1959 were withheld in full under FOIA Exemption (b)(7)(E) as the document is the manual for how Homeland Security Investigations law enforcement agents conduct open source research during law enforcement investigations, including but not limited to, .procedures and principles used to conduct open source instigations, what software agents utilize and how to use that software, what information should be tracked, what data should be exploited, what techniques should be used when conducting investigations using search engines, and various screen shots demonstrating how to use specific software.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the techniques and procedures law enforcement officers are instructed to use when conducting open source research could assist third parties in circumventing the law and avoid detection by providing insight into what steps could be taken to counter these techniques and procedures. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p>
2019-ICLI-00017	1960-1963	Partial	(b)(5)	<p><b>Document titled “Justification for Other than Full and Open Competition”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemption (b)(5) was used on this initial, non-final draft of a justification request for other than full and open competition.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*  
 Civil No.: 3:19-cv-00290  
 United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p><b>Reason for Redaction(s):</b>                      FOIA exemption (b)(5) was applied to withhold the information contained in this draft document. This document was prepared to obtain approval to use other than full and open competition relating to a contract. This non-final draft contains recommendations, summaries, and opinions and has not been signed. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	1966-1967	Partial	(b)(5),(b)(7)(E)	<p><b>Email titled “Open Source Question”</b></p> <p><b>Redacted Information per (b)(5):</b>  Partial redactions pursuant to FOIA Exemption (b)(5) was used on opinions and recommendations on using different systems to conduct open source operations.</p> <p><b>Reason for Redaction(s):</b>  FOIA exemption (b)(5) was applied to withhold the deliberative information contained in this document. This document contains thoughts and opinions regarding what systems to use to conduct open source investigations. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				<p>recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.</p> <p><b>Redacted Information per (b)(7)(E):</b>                      Partial redactions pursuant to FOIA Exemption (b)(7)(E) was used on the names of systems used to conduct open source investigations.</p> <p><b>Reason for Redaction</b>                      Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of names of systems used by law enforcement could assist third parties in circumventing the law and avoid detection by providing insight into how to avoid detection by these specific</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				systems and thus circumvent the law. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	1971-1976	Full	(b)(5)	<p><b>Document titled “Determination – Approval for Single Award Blanket Purchase”</b></p> <p><b>Redacted Information per (b)(5):</b> Pages 2019-ICLI-00017.1971 through 2019-ICLI-00017.1976 was withheld in full under FOIA Exemption (b)(5) as this document is an initial, non-final draft of the determination to approve a single award contract.</p> <p><b>Reason for Redaction(s):</b> FOIA exemption (b)(5) was applied to withhold the draft document. This document is an initial, non-final draft of the determination to approve a single award contract and contains tracked changes and comment bubbles. The information contained in this document is withheld per (b)(5) which protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				discourage the expression of candid opinions and inhibit the free and frank exchange of information and ideas between agency personnel resulting in a chilling effect on intra- and inter-agency communications. The deliberative process privilege protects the internal deliberations of the government by exempting recommendations, analyses, and discussions undertaken to aid agency decision making. The privilege also prevents the premature disclosure of proposed policies, serves to avoid public confusion generated by rationales or decisions not ultimately adopted by an agency, and maintains the integrity of agency decision-making processes by encouraging open and candid discussions. Draft documents, by their nature, are pre-decisional and preliminary versions of what may later become a final document in whole or in part. Oftentimes draft documents never evolve into a final form; material is withdrawn or discarded during the decision-making process.
2019-ICLI-00017	2028-2090 2161-2162	Partial	(b)(7)(E), (b)(4)	<p><b>Documents titled “Amendment of Solicitation Modification Contract” “Solicitation/Contract/Order for Commercial Items”</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to codes associated with ICE employees, Requisition Numbers, and accounting information.</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				<p><b>Reason for Redaction</b>  Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of employee codes and requisition numbers could allow a third party if they were to access ICE databases to manipulate and/or accesses law enforcement sensitive information within the databases. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.</p> <p><b>Redacted Information per (b)(4):</b>  Partial redactions pursuant to FOIA Exemption (b)(4) was used on contract pricing information.</p> <p><b>Reasons for Redaction(s):</b>  FOIA exemption (b)(4) was applied to withhold a pricing information. Pricing information is confidential financial and commercial information, and as such is protected from disclosure under Exemption 4 of the FOIA. Specifically, Thundercat Technology has consistently treated its pricing</p>



*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				information, including discounts and concessions extended to ICE, as trade secret and commercial and financial information that are proprietary and confidential. Thundercat Technology operates in an extremely competitive environment, and provides the information to ICE with the expectation that the information would remain confidential..
2019-ICLI-00017	2114	Partial	(b)(7)(E)	<p><b>1 page from the Contract Clauses for Contract HSCEMD-17-D-00001</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Partial redactions pursuant to FOIA Exemptions (b)(7)(E) was applied to the maximum number of data queries that could be made under the contract.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the maximum number of queries that could be made under the contract could allow a third party to determine when ICE would no longer be able to submit queries as part of a law enforcement operation and use this information to evade and/or disrupt the operation. Disclosure of information not commonly known to the public could reasonably be expected</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	2135	Full	(b)(7)(E)	<p><b>The Performance Work Statement for HSCEMD-17-D-00001</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Pages 2019-ICLI-00017.2135 through 2019-ICLI-00017.2158 is withheld in full under FOIA Exemption (b)(7)(E) as the document contains the description of the requirements that must be fulfilled to assist law enforcement operations, including type of software, specifications, scope, and limitations of the software.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the scope of work ICE has requested to assist in their law enforcement operations could assist third parties in understanding the scope and limitations of the software, how to evade and/or disrupt the software utilizing the vulnerabilities indicated in the work statement. Disclosure of</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

Bates-Stamp Prefix	Bates-Stamp Suffix (Page Number)	Degree of Withholding	Exemptions <sup>1</sup>	Description of Records and Explanation of Exemptions
				information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.
2019-ICLI-00017	2166-2169	Full	(b)(7)(E)	<p><b>Document titled “White Paper Academic Domain”</b></p> <p><b>Redacted Information per (b)(7)(E):</b> Pages 2019-ICLI-00017.2166 through 2019-ICLI-00017.2169 is withheld in full under FOIA Exemption (b)(7)(E) as the document contains a description of how software could be developed by a contractor that would assist law enforcement operations, including type of software, specifications, scope, and limitations of the software.</p> <p><b>Reason for Redaction</b> Exemption (b)(7)(E) was applied to law enforcement sensitive information, the release of which could reveal techniques and/or procedures for law enforcement investigations or prosecutions, or disclose guidelines for law enforcement investigations or prosecutions which could reasonably be expected to risk circumvention of the law. Disclosure of the scope of work a contractor could provide to assist in law enforcement operations could assist third parties in understanding the scope and limitations of the software, how to evade and/or disrupt the software utilizing the</p>

*American Civil Liberties Union Foundation, et al. v. Department of Justice, et al.*

Civil No.: 3:19-cv-00290

United States Immigration and Customs Enforcement (ICE) *Vaughn* Index

<b>Bates-Stamp Prefix</b>	<b>Bates-Stamp Suffix (Page Number)</b>	<b>Degree of Withholding</b>	<b>Exemptions<sup>1</sup></b>	<b>Description of Records and Explanation of Exemptions</b>
				vulnerabilities indicated in the work statement. Disclosure of information not commonly known to the public could reasonably be expected to risk circumvention of the law. The disclosure of this law enforcement sensitive information serves no public benefit and would not assist the public in understanding how the agency is carrying out its statutory responsibilities.