



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

MARY E. SWITZER BUILDING
330C Street, S.W.
Washington, D.C. 20201

Case No. 23-F-0028

October 31, 2024

Jeremy Singer-Vine
The Data Liberation Project

via email: jvine@gmail.com

Dear Mr. Singer-Vine:

This is the final response of supplemental records to your October 28, 2022, Freedom of Information Act (FOIA) to the Administration for Children and Families (ACF) where you initially sought “all non-PII records collected and/or generated through Forms A-9, A-10A, A-10B, A-10C, and A-10D, M-1, M-3A, M-3B, M-5A, and M-5B”.

In an email dated, March 17, 2023, you narrowed the scope of your request to Forms A-9, A-10B, A-10C, and A-10D.

The Office of Refugee Resettlement (ORR) conducted a thorough search of their files and provided a spreadsheet responsive to your request, which we provided to you on July 18, 2023. Upon receipt of our response, you informed us that you desired the tables of data as it resides in the UC portal, with columns containing any PII being redacted in its entirety, in order to circumvent any line-by-line reviews. ORR conducted another search of their files and provided the enclosed spreadsheets and one-page document responsive to your request.

We reasonably foresee that disclosure would harm an interest protected by one or more of the nine exemptions to the FOIA’s general rule of disclosure. Information has been withheld in part or in full pursuant to FOIA exemptions 5 U.S.C. § 552 (b)(6) and (b)(7)(C).

The FOIA exemption (b)(6) permits the withholding of records which, if released, would constitute a clearly unwarranted invasion of personal privacy. In this case, the withheld information consists of Alien numbers, names, dates of birth, confirmation numbers, staff ID numbers, telephone numbers, addresses, email addresses, law enforcement agents’ name, badge numbers, telephone numbers, and police report numbers. In withholding the information, the individual’s privacy interest was balanced against any public interest in disclosure. In each instance where information was withheld, it was determined that the individual’s privacy interests outweighed any public interest in disclosure of the withheld information. Disclosure of the withheld information would invade the privacy of the subject individuals but would reveal nothing about the operations or activities of the government.

Exemption (b)(7)(C) permits the withholding of law enforcement information that the disclosure of which "could reasonably be expected to constitute an unwarranted invasion of personal privacy." In this case, the withheld information consists of law enforcement agents' name, badge numbers, telephone numbers, and police report numbers. Public disclosure of this information would constitute an invasion of privacy of those individuals whose identifying information was disclosed. In withholding the information, the individual's privacy interest was balanced against any public interest in disclosure. In each instance where information was withheld, it was determined that the individual's privacy interests outweighed any public interest in disclosure of the withheld information. Disclosure of the withheld information would invade the privacy of the subject individuals but would reveal nothing about the operations or activities of the government.

You have the right to appeal this determination. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. Your appeal must be sent within 90 days from the date of this response to the following link: <https://requests.publiclink.hhs.gov/App/Index.aspx>.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, please contact FOIA@acf.hhs.gov, and copy Tina Ennis at Tina.Ennis@acf.hhs.gov.

You may also contact the HHS ACF FOIA Public Liaison for assistance at:

Kenneth Wolfe
FOIA Public Liaison
U.S. Department of Health and Human Services
Administration for Children and Families
Office of Communications, Room 4002A
330 C Street, S.W.
Washington, DC 20201

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road—OGIS
College Park, MD 20740-6001
Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
E-mail: ogis@nara.gov
Fax: 202-741-5769

Sincerely,

Celeste Smith
Director, Freedom of Information Office
Office of Communications
Administration for Children and Families
Department of Health and Human Services
Washington, D.C.