



## MONTHLY REPORTING: REQUESTS PROCESSED UNDER FOIA ONLY

|                 |                      |                       |            |
|-----------------|----------------------|-----------------------|------------|
| Reporting Month | <b>February 2017</b> | Component/Directorate | <b>CBP</b> |
|-----------------|----------------------|-----------------------|------------|

| #  | Processed and Pending FOIA Requests   | Total  |
|----|---|--------|
| 1  | Total number of open FOIA requests  | 13382  |
| 2  | Total number of FOIA requests your component has received to-date in this FY                                      | 33291  |
| 3  | Total number of FOIA requests your component has RECEIVED in this reporting period                                | 7017   |
| 4  | Total number of FOIA requests your component has CLOSED/PROCESSED in this reporting period                        | 4578   |
| 5  | Total number of FOIA processors currently employed in your office   | 22     |
| #  | Current Month - Records Released - Initial Processing Totals  | Total  |
| 6  | Total Pages Released  | 10,849 |
| 7  | Total Documents Released Associated with Total Pages in #6  | 2015   |
| 8  | Total Other Files Released (Excel Spreadsheets, Videos, Databases, XML data, etc.)                                | 1      |
| #  | Current Fiscal Year - Records Released - Initial Processing Totals  | Total  |
| 9  | Total Pages Released  | 29,935 |
| 10 | Total Documents Released Associated with Total Pages in #9  | 10,788 |
| 11 | Total Other Files Released (Excel Spreadsheets, Videos, Databases, XML data, etc.)                                | 1      |
| #  | Denial of FOIA Requests under Subsection (c) of the FOIA*   | Total  |
| 12 | Total Number of Requests denied under Exemption b(7)(A) <i>and</i> subsection (c)(1)(A) or (c)(1)(B)              |        |
| 13 | Total Number of Requests denied under subsection (c)(2) (LE informant records via 3rd party)                      |        |
| 14 | Total Number of Requests denied under subsection (c)(3) (Classified FBI Foreign Intel/CI/International Terrorism) |        |
| 15 | Total Number of Requests denied under Subsection (c) of the FOIA - Current Month                                  |        |
| 16 | Total Number of Requests denied under Subsection (c) of the FOIA - Fiscal Year                                    |        |

| #  | Open Requests - Response Time in Day Increments   | Date Range |            | Total |
|----|---|------------|------------|-------|
| 18 | Of the open FOIA requests in your component, how many were received within the last 20 business days? | 01/30/2017 | 02/28/2017 | 6020  |
| 19 | Of the open FOIA requests in your component, how many were received 21-40 business days ago?          | 12/29/2016 | 01/27/2017 | 4141  |
| 20 | Of the open FOIA requests in your component, how many were received 41-60 business days ago?          | 11/30/2016 | 12/28/2016 | 2372  |
| 21 | Of the open FOIA requests in your component, how many were received 61-80 business days ago?          | 10/31/2016 | 11/29/2016 | 213   |
| 22 | Of the open FOIA requests in your component, how many were received 81-100 business days ago?         | 09/30/2016 | 10/28/2016 | 133   |
| 23 | Of the open FOIA requests in your component, how many were received 101-120 business days ago?        | 09/01/2016 | 09/29/2016 | 74    |
| 24 | Of the open FOIA requests in your component, how many were received 121-140 business days ago?        | 08/04/2016 | 08/31/2016 | 84    |
| 25 | Of the open FOIA requests in your component, how many were received 141-160 business days ago?        | 07/07/2016 | 08/03/2016 | 79    |
| 26 | Of the open FOIA requests in your component, how many were received 161-180 business days ago?        | 06/08/2016 | 07/06/2016 | 56    |
| 27 | Of the open FOIA requests in your component, how many were received 181-200 business days ago?        | 05/10/2016 | 06/07/2016 | 57    |
| 28 | Of the open FOIA requests in your component, how many were received 201-300 business days ago?        | 12/16/2015 | 05/09/2016 | 279   |
| 29 | Of the open FOIA requests in your component, how many were received 301-400 business days ago?)       | 07/23/2015 | 12/15/2015 | 148   |
| 30 | Of the open FOIA requests in your component, how many were received 401 or more business days ago?    |            | 07/22/2015 | 156   |

| 17 Information on Component's Ten Oldest Open Requests as Reported in Previous Year's Annual Report |                       |                     |   |   |                |
|---|-----------------------|---------------------|---|---|----------------|
| Rank  | Date Request Received | Request Number      | Requester Name/ Organization                        | Brief Description of Requested Records  | Request Status |
| 1st   | 12/19/2013            | CBP-2014-00637<br>3 | CBP employee  | Memos, criteria and materials used to make selections for Border Patrol positions   | Open           |
| 2nd   | 01/24/2014            | CBP-2014-01059<br>1 | Sally Kestin<br>Sun Sentinel                        | requesting documents of any investigations or seizures related to the shipment of medical supplies, prescription drugs or pharmaceuticals from the U.S. to Cuba since 2000.                               | Closed         |
| 3rd   | 02/18/2014            | CBP-2014-01424<br>4 | Andrew Becker<br>Center for Investigative Reporting | The final report of the local CBP investigation of the Oct. 5, 2010 shooting of Juan Mendez Jr. in Eagle Pass, Texas, sent to the Use of Force Policy Division Incident Review Committee and/or any o     | Open           |
| 4th   | 03/17/2014            | CBP-2014-01738<br>3 | Alicia Caldwell<br>The Associated Press             | any and all records related to the hiring and employment of deceased Border Patrol Agent. This request includes but is not limited to all records, electronic or otherwise, regarding allegations         | Open           |
| 5th   | 3/19/147              | CBP-2014-01767<br>2 | Brian Bennett<br>Los Angeles Times                  | All 67 Reportable Shooting Incidents (RSI) case files provided by CBP to researchers from the Police Executive Research Forum conducting a use of force review. The Police Executive Research Forum rep   | Closed         |
| 6th   | 03/31/2014            | CBP-2014-01943<br>7 | Adriana Pinon<br>ACLU of Texas                      | OIG notes and results regarding PERF and Use of Force   | Open           |
| 7th   | 02/23/2014            | CBP-2014-01469<br>5 | (b)(6) (b)(7)(c)                                    | Regarding Nationwide Supervisory Promotion Announcement, Vacancy Identification 663068, Announcement Number MHCMP-663068-IC, Job Title of "Supervisory CBP Officer-First Line"                            | Open           |
| 8th   | 05/01/2014            | CBP-2014-02473<br>0 | (b)(6) (b)(7)(c)                                    | records and reports providing the number of foreign government incursions on the U.S. Southwest border and their approximate dates between January 1, 2012 to December 31, 2012.                          | Open           |
| 9th   | 05/20/2014            | CBP-2014-02763<br>9 | Laura Strickler<br>CBS News                         | Any and all photographs, still photographs, video footage, film from any and all devices used by US Border Patrol agents working in the McAllen Texas service area that capture people cr                 | Closed         |
| 10th  | 05/21/2014            | CBP-2014-02788<br>8 | Timothy Warren<br>Warren News                       | International Trade today ITT seeks any and all records from January 1, 2010 to the present regarding interim and final status statistics for commercial cargo seized due to Intellectual Property Rights | Open           |

| # | FOIA (a)(2)(D)* Postings to Component FOIA Library   |            |             |
|---|--|------------|-------------|
| 1 | Records Posted   | # of Pages | Date Posted |
|   | FOIA Monthly Reporting Form - January 2017_Redacted  | 9          | 2/9/2017    |
|   | January FOIA Log   | 199        | 2/2/2017    |
|   | 2017-013492 USBP Nationwide APPs FY17TD to NOV   | 814        | 2/7/2017    |
|   | 2017-017579 USBP LRT APPs FY16-FY17TD to Nov.pdf 2   | 770        | 2/2/2017    |
|   | 2017-025184 FOIA CBP-OFO-2017-025184_DRUG ARRESTS.pdf  | 181        | 2/7/2017    |
|   | 2017-025184 FOIA CBP-OFO-2017-025184_DRUG INCIDENTS.pdf  | 1          | 2/7/2017    |
|   | CBP-2017-017112 USBP Nationwide APPs by Sector and Citizenship FY00 - FY17TD to NOV (1           | 2          | 2/6/2017    |
|   | Response to FOIA 2017-013437.pdf   | 2          | 2/7/2017    |
|   | FOIA Releasable SAMEph.pdf   | 148        | 2/1/2017    |
|   | HB 3300-04B.pdf  | 72         | 2/1/2017    |
|   | CBP-2015-020933 responsive records.pdf - SIR reports   | 142        | 2/9/2017    |
|   |  |            |             |
| # | Cumulative Totals in FOIA Library - FOIA (a)(2)(D)* Postings                                     | # of Pages | # of Items  |
| 2 | Current Month - Records With Quantifiable Page Counts  | 2,340      | 11          |
| 3 | Current Month - Records Without Quantifiable Page Counts   | N/A        |             |
| 4 | Fiscal Year to Date - Records With Quantifiable Page Counts                                      | 5,052      | 26          |
| 5 | Fiscal Year to Date - Records Without Quantifiable Page Counts (XML data, Video, Database, etc.) | N/A        |             |

| #  | Processed and Pending Administrative Appeals   | Date Range |            | Total |
|----|--|------------|------------|-------|
| 1  | Total number of open Administrative Appeals  |            |            | 108   |
| 2  | Total number of Administrative Appeals your component has received to-date in this FY                          |            |            | 894   |
| 3  | Total number of Administrative Appeals your component has RECEIVED in this reporting period                    |            |            | 147   |
| 4  | Total number of Administrative Appeals your component has PROCESSED in this reporting period                   |            |            | 183   |
| #  | Current Month - Records Released via Appeal - Totals   | Date Range |            | Total |
| 5  | Total Pages Released   |            |            |       |
| 6  | Total Documents Released Associated with Total Pages in #5   |            |            |       |
| 7  | Total Other Files Released (Excel Spreadsheets, Videos, Databases, XML data, etc.)                             |            |            |       |
| #  | Fiscal Year - Records Released via Appeal - Totals   | Date Range |            | Total |
| 8  | Total Pages Released   |            |            |       |
| 9  | Total Documents Released Associated with Total Pages in #8   |            |            |       |
| 10 | Total Other Files Released (Excel Spreadsheets, Videos, Databases, XML data, etc.)                             |            |            |       |
| #  | Open Administrative Appeals - Response Time in Day Increments  | Date Range |            | Total |
| 11 | Of the open Administrative Appeals in your component, how many were received within the last 20 business days? | 01/30/2017 | 02/28/2017 | 63    |
| 12 | Of the open Administrative Appeals in your component, how many were received 21-40 business days ago?          | 12/29/2016 | 01/27/2017 | 15    |
| 13 | Of the open Administrative Appeals in your component, how many were received 41-60 business days ago?          | 11/30/2016 | 12/28/2016 | 5     |
| 14 | Of the open Administrative Appeals in your component, how many were received 61-80 business days ago?          | 10/31/2016 | 11/29/2016 | 8     |
| 15 | Of the open Administrative Appeals in your component, how many were received 81-100 business days ago?         | 09/30/2016 | 10/28/2016 | 9     |
| 16 | Of the open Administrative Appeals in your component, how many were received 101-120 business days ago?        | 09/01/2016 | 09/29/2016 | 6     |
| 17 | Of the open Administrative Appeals in your component, how many were received 121-140 business days ago?        | 08/04/2016 | 08/31/2016 | 0     |
| 18 | Of the open Administrative Appeals in your component, how many were received 141-160 business days ago?        | 07/07/2016 | 08/03/2016 | 2     |
| 19 | Of the open Administrative Appeals in your component, how many were received 161-180 business days ago?        | 06/08/2016 | 07/06/2016 | 0     |
| 20 | Of the open Administrative Appeals in your component, how many were received 181-200 business days ago?        | 05/10/2016 | 06/07/2016 | 0     |
| 21 | Of the open Administrative Appeals in your component, how many were received 201-300 business days ago?        | 12/16/2015 | 05/09/2016 | 2     |
| 22 | Of the open Administrative Appeals in your component, how many were received 301-400 business days ago?        | 07/23/2015 | 12/15/2015 | 0     |
| 23 | Of the open Administrative Appeals in your component, how many were received 401 or more business days ago?    |            | 07/22/2015 | 7     |

| 24   | Information on Component's Ten Oldest Administrative Appeals as Reported in Previous Year's Annual Report |                        |   |  |               |
|------|---|------------------------|---|--|---------------|
| Rank | Date Appeal Received  | Appeal Number          | Requester Name/<br>Organization                               | Brief Description of Requested Records   | Appeal Status |
| 1st  | 12/12/2013  | CBP-AP-2014-00556<br>9 | Rebecca Engel<br>NYCLU  | Failure to respond   | Open          |
| 2nd  | 12/20/2013  | CBP-AP-2014-00650<br>2 | Beth Werlin<br>American Immigration<br>Council                | See attached appeal.   | Open          |
| 3rd  | 03/07/2014  | CBP-AP-2014-01643<br>7 | Beth Werlin<br>American Immigration<br>Council                | lack of response   | Open          |
| 4th  | 03/07/2014  | CBP-AP-2014-01643<br>9 | Beth Werlin<br>American Immigration<br>Council                | lack of response   | Open          |
| 5th  | 06/05/2014  | CBP-AP-2014-02997<br>6 | George W. Schulz<br>Center for Investigative<br>Reporting     | insist records must exist  | Open          |
| 6th  | 11/06/2014  | CBP-AP-2015-00485<br>6 | Thomas R. Jones<br>NBC Universa                               | I am appealing the denial because I believe the records are releasable under the FOIA statute.                   | Open          |
| 7th  | 01/21/2015  | CBP-AP-2015-01413<br>8 | Andrew Becker<br>The Center for<br>Investigative<br>Reporting | lack of response   | Open          |
| 8th  | 03/01/2016  | CBP-AP-2016-02441<br>5 | Patrick Eddington<br>Cato Institute                           | appeals no records determination   | Open          |
| 9th  | 03/30/2016  | CBPAP-2016-03098<br>0  | Laura Lynch<br>American Immigration<br>Lawyers Association    | appeals CBP's response   | Open          |
| 10th | 07/14/2016  | CBPAP-2016-05266<br>6  | Miriam Aukerman<br>ACLU of Michigan                           | incompleteness of responsive documents; inappropriate redactions; and failure to properly handle the fee waiver. | Open          |

| # | Proactive Disclosures Posted in FOIA Library*   |            |                |
|---|---|------------|----------------|
| 1 | Senior Agency Officials' Calendars posted in FOIA Library this reporting period   | # of Pages | Date Posted    |
|   | Official's Name: <input type="text"/>   |            |                |
|   | Official's Name: <input type="text"/>   |            |                |
|   | Official's Name: <input type="text"/>   |            |                |
| # | Cumulative Totals in FOIA Reading Room  | # of Pages | # of Documents |
| 2 | Current Month   |            |                |
| 3 | Fiscal Year to Date   |            |                |
| 4 | Executed Contracts and Grants (posted immediately after released pursuant to one FOIA request) posted in FOIA Library this reporting period | # of Pages | Date Posted    |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
|   | Contract/Grant # <input type="text"/>   |            |                |
| # | Cumulative Totals in FOIA Reading Room  | # of Pages | # of Documents |
| 5 | Current Month   |            |                |
| 6 | Fiscal Year to Date   |            |                |

| 7  | Management Directives, Instructions, Policies, Handbooks, Official Guidance, Data Sets, and Correspondence Records posted in FOIA Library this reporting period: | # of Pages | Date Posted    |
|----|--|------------|----------------|
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
|    | Document Title: <input type="text"/>   |            |                |
| #  | Cumulative Totals in FOIA Reading Room   | # of Pages | # of Documents |
| 8  | Current Month  |            |                |
| 9  | Fiscal Year to Date  |            |                |
| 10 | FOIA Logs  | # of Pages | Date Posted    |
|    | Date Range of posted logs in FOIA Library this reporting period: <input type="text" value="1/1/2017-1/31/2017"/>   | 199        | 2/2/2017       |
|    | Date Range of posted logs in FOIA Library this reporting period: <input type="text"/>  |            |                |
|    | Date Range of posted logs in FOIA Library this reporting period: <input type="text"/>  |            |                |
|    | Cumulative Totals in FOIA Reading Room   | # of Pages | # of Documents |
| 11 | Current Month  | 199        | 1              |
| 12 | Fiscal Year to Date  | 2488       | 4              |

\*Pursuant to one or both of the following:  
1) FOIA Improvement Act of 2016 (Public Law No. 114-185), enacted on June 30, 2016 (<https://www.justice.gov/oip/oip-summary-foia-improvement-act-2016>); and  
2) "Proactive Disclosure and Departmental Compliance with Subsection (a)(2) of the Freedom of Information Act (FOIA)," dated August 26, 2009 (<http://www.archives.gov/ogis/dhs-foia.pdf>).



| #    | Open FOIA Litigation and Processing   |                     |                              |  |   | Total |
|------|---|---------------------|------------------------------|--|---|-------|
| 1    | Total number of open Litigation   |                     |                              |  |   | 6     |
| 2    | Total number of new Litigation your component has received to-date in this FY       |                     |                              |  |   | 1     |
| 3    | Total number of new Litigation your component has RECEIVED in this reporting period |                     |                              |  |   | 0     |
| #    | Current Month - Records Released via Litigation - Totals                            |                     |                              |  |   | Total |
| 4    | Total Pages Released  |                     |                              |  |   |       |
| 5    | Total Documents Released Associated with Total Pages in #4                          |                     |                              |  |   |       |
| 6    | Total Other Files Released (Excel Spreadsheets, Videos, Databases, XML data, etc.)  |                     |                              |  |   |       |
| #    | Fiscal Year - Records Released via Litigation - Totals                              |                     |                              |  |   | Total |
| 7    | Total Pages Released  |                     |                              |  |   | 1,127 |
| 8    | Total Documents Released Associated with Total Pages in #7                          |                     |                              |  |   | 22    |
| 9    | Total Other Files Released (Excel Spreadsheets, Videos, Databases, XML data, etc.)  |                     |                              |  |   |       |
| 10   | List of Open Litigation (Oldest to Newest)  |                     |                              |  |   |       |
| Rank | Date Lawsuit Filed  | Lawsuit Number      | Requester Name/ Organization | Brief Description of Requested Records   | Brief Reason for the Lawsuit (exemptions, search, etc)                    |       |
| 1st  | 11/17/2014  | 1:14-cv-24370-MGC   | (b)(6) (b)(7)(c)             | Primarily has a Nexus to travel records, copy of file, etc.  | Lack of Response, incorrect filings/ administrative issues                |       |
| 2nd  | 02/11/2015  | CV-15-00247-PHX-JJT | ACLU (b)(6) (b)(7)(c)        | Requests records concerning the actual or alleged abuse of minors while in custody   | Lack of Response, was filed immediately upon passing of 20th business day |       |
| 3rd  | 01/29/2016  | 4:16-cv-00064-JR    | (b)(6) (b)(7)(c)             | Concerns records and communications about water and conservation easement of San Pedro Basin   | Lack of Response  |       |
| 4th  | 04/14/2016  | 1:16-cv-00387-KBF   | NDLON (b)(6) (b)(7)(c)       | CBP was included as part of a larger litigation, our portion mostly concerned emails/ documents surrounding the Priority Enforcement Program (PEP) | Lack of feedback/ response, though CBP was not primary agency             |       |
| 5th  | 10/14/2016  | 1:16-cv-02045-JEB   | Judicial Watch (Rothstein)   | Records, reports, memoranda regarding the Tablighi Jamaat Initiative, or Tablighi Jamaat Project   | Lack of response  |       |
| 6th  | 7/13/2015   | 1:15-cv-1091 (KBJ)  | (b)(6) (b)(7)(c)             | Semi-public figure concerned with multiple referrals to secondary inspection, seizure of camera, equipment, etc. Multi agency litigation           | Lack of response  |       |