



Homeland Security

Privacy Office, Mail Stop 0655

April 22, 2011

Mr. Matt Ehling
President
Public Record Media
2735 University Ave West
Suite 200
Saint Paul, Minnesota 55114

Re: **DHS/OS/PRIV 11-0674**

Dear Mr. Ehling:

This is a response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated March 28, 2011, and received by this office on April 6, 2011. You are seeking any and all paper, electronic or other records involving:

- 1) Correspondence within your agency relating to U.S. Coast Guard FOIA request number 2010-2784.
- 2) Correspondence within your agency relating to FOIA requests about any contracts between the Department of Homeland Security (or any of its components) and Talon Security, or any company with a substantially similar name.
- 3) Correspondence within your agency relating to FOIA requester Matt Ehling.
- 4) Correspondence within your agency relating to FOIA requester Matt Ehling's organization, Public Record Media.
- 5) Any intra-agency correspondence between any staff member of the Department of Homeland Security and any staff member of the U.S. Coast Guard that relates to items 1-4.

As it relates to items 2, 3 and 4, we conducted a comprehensive search of files within the DHS Electronic Correspondence Tracking System (ECT) and the DHS Privacy Office for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records.

Based on ECT and DHS Privacy Office searches and upon initial review of your request, I have determined that the information you are seeking is most likely under the purview of the U.S. Coast Guard (USCG). Therefore, I am referring your request to the FOIA Officer for USCG, Donald Taylor, for processing and direct response to you. You may contact that office in writing at U.S. Coast Guard,

Commandant (CG-611), 2100 2nd Street, S.W., Attn: FOIA Coordinator, Washington, D.C. 20593-0001 or via telephone at 202-475-3526.

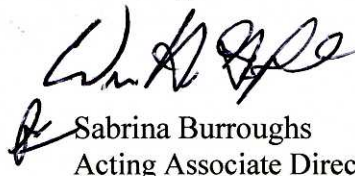
While an adequate search was conducted, you have the right to appeal this determination that no records exist within DHS Privacy Office that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

As it pertains to your request for a fee waiver, in this instance, because the cost is below the \$14 minimum, there is no charge associated with this DHS Privacy Office response. As such, your request for a fee waiver is moot.

If you need to contact our office concerning this request, please call 866-431-0486 and refer to **DHS/OS/PRIV 11-0674**.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sabrina Burroughs', is written over a printed name and title.

Sabrina Burroughs
Acting Associate Director of Disclosure & FOIA Operations

Public Record Media
Matt Ehling, President
2375 University Ave West
Suite 200
Saint Paul MN 55114

March 28, 2011

U.S. Department of Homeland Security
Privacy Office
Director, Disclosure & FOIA
245 Murray Drive SW, Building 410
STOP-655
Washington DC 20528-0655

RE: Freedom of Information Act request

Dear Director,

This is a request under the Freedom of Information Act (5 USC § 552). I request that a copy of the following records be provided to me:

Any and all paper, electronic, or other records involving:

1. Correspondence within your agency relating to U.S. Coast Guard FOIA request number 2010-2784;
2. Correspondence within your agency relating to FOIA requests about any contracts between the Department of Homeland Security (or any of its components) and Talon Security, or any company with a substantially similar name;
3. Correspondence within your agency relating to FOIA requester Matt Ehling;
4. Correspondence within your agency relating to FOIA requester Matt Ehling's organization, Public Record Media;
5. Any intra-agency correspondence between any staff member of the Department of Homeland Security and any staff member of the U.S. Coast Guard that relates to items 1-4, above.

In order to help you determine my status for the purpose of assessing fees, you should know that I am a freelance journalist, and that this request is made as part of news

gathering, and is not for commercial use. Responsive files will be shared with researchers, journalists, and the public, and will not be licensed for profit.

I am seeking a waiver of fees for this request, since the public dissemination of the requested materials will aide the public's understanding of the federal government's Freedom of Information Act practices. Recent press reports indicate that your agency has subjected FOIA requests to political review, resulting in delays in the production of responsive documents. Through my current request, I am seeking to learn if a previous FOIA request of mine to the U.S. Coast Guard (number 2010-2784) was subjected to such political scrutiny.

If my fee waiver is denied, I am willing to pay fees of up to \$100.00 without prior notice. If fees are estimated to exceed this amount, please notify me first.

If this request is denied in whole or in part, please notify me of all appeals procedures available by law.

I can be contacted at 651-335-2037 if you need to discuss any aspect of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Ehling', with a stylized flourish at the end.

Matt Ehling
President, Public Record Media