



MICHAEL G. KESSLER
President & CEO

11-3737

November 29, 2010

VIA EMAIL (ice-foia@dhs.gov)

FOIA Office
US Immigration and Customs Enforcement
800 North Capitol Street, NW
5th Floor, Suite 585
Washington, DC 20536

ICE FOIA Office
Phone (202) 730-2433 Fax (202) 730-0310

FOIA Request Number: 11-3737
Date Rec'd: 11-1-10
Suspense Date: 12-17-10

Re: Freedom of Information Request

Dear Sir/Madam:

Under the provisions of the Freedom of Information Law, I am requesting copies of any of the following records that you might have in your possession:

- Any and all documents delineating the source of funding for the recent domain seizures conducted by ICE, including but not limited to the seizures of the following domains. Specifically, we are requesting information regarding any funding provided to ICE from private entities and/or corporations.

2009jerseys.com
51607.com
amoyhy.com
b2corder.com
bishoe.com
bortrade.com
bortrade.net
boxedtvsseries.com
boxset4less.com
boxsetseries.com
burberryoutletshop.com
cartoon77.com

World Headquarters
45 Rockefeller Plaza • Suite 2000 • New York, NY 10111-2000
Phone: (212) 730-2433 • Toll Free: (800) 730-2433 • Fax: (212) 730-2433
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dvdcollectionsale.com
dvdcollects.com
dvdorderonline.com
dvdprostore.com
dvdsollection.com
dvdsetcollection.com
dvdsetonline.com
dvdsuperdeal.com
eluxury-outlet.com
getdvdset.com
gofactoryoutlet.com
golfstaring.com
golfwholesale18.com
handbag9.com
handbagcom.com
handbagspop.com
icqshoes.com
ipodnanouk.com
jersey-china.com
jerseyclubhouse.com
jordansbox.com
lifetimereplicas.com
louis-vuitton-outlet-store.com
lv-outlets.com
lv-outlets.net
lv-outletstore.com
massnike.com
merrytimberland.com
mycollects.com
mydreamwatches.com
mygolfwholesale.com
newstylerolex.com
nfljerseysupply.com
nibdvd.com
odvdo.com
oebags.com
onsmash.com
overbestmall.com
rapgodfathers.com
realtimberland.com
rmx4u.com
scarfonlineshop.com

scarfviponsale.com
shawls-store.com
silkscarf-shop.com
silkscarfonsale.com
skyergolf.com
sohob2b.com
sohob2c.com
storeofeast.com
stuff-trade.com
sunglasses-mall.com
sunogolf.com
tbl-sports.com
throwbackguy.com
tiesonsale.com
timberlandlike.com
topabuy.com
torrent-finder.com
usaburrerryscarf.com
usaoutlets.net

If any part of this request is denied, please cite the exemption under which you refuse disclosure. I reserve the right to appeal your decision to withhold any information.

If there is a fee charged for fulfilling this request, please provide the records and bill me if the cost does not exceed \$25.00. If the fee will exceed \$25.00, please inform me of the total cost before any charges accrue.

I will greatly appreciate a response at your earliest convenience but not later than the 5 days required. Thank you in advance for your assistance.

Sincerely,



Michael G. Kessler, CFE, CrFA CICA
President & CEO

11-4448

Schmidt, Lashawn

From: Holzer, James on behalf of FOIA
Sent: Monday, December 13, 2010 9:47 AM
To: Schmidt, Lashawn
Cc: foia@dhs.gov
Subject: FW: Freedom of Information Request: Domain name seizures

Lashawn,

Good morning, please see FOIA request received electronically.

r,

James V.M.L. Holzer, I, MHR, CIPP/G
FOIA Program Specialist
Privacy Office
U.S. Department of Homeland Security
Main: 1.866.431.0486 or 703.235.0790
Direct: 703 (b)(6); (b)(7)
Fax: 703.235.0443
Visit our FOIA website

DEC 10 2010
11-0255

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

-----Original Message-----

From: Requests Muckrock [<mailto:requests@muckrock.com>]
Sent: Friday, December 10, 2010 4:35 PM
To: FOIA
Subject: Freedom of Information Request: Domain name seizures

FOIA REQUEST: Expedited processing requested

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

Any records related to domain name seizures, including those conducted by DHS and ICE, including the domain names TVSHACK.NET, MOVIES-LINKS.TV, FILESPUMP.COM, NOW-MOVIES.COM, PLANETMOVIEZ.COM, THEPIRATECITY.ORG, ZML.COM, 2009jerseys.com, 51607.com, amoyhy.com, b2corder.com, bishoe.com, borntrade.com, borntrade.net, boxedtvseries.com, boxset4less.com, boxsetseries.com, burberryoutletshop.com, burberryoutlet-us.com, cartoon77.com, cheapscarfshop.com, coachoutletfactory.com, dajazi.com, discountscarvesonsale.com, dvdcollectionsale.com, dvdcollects.com, dvdorderonline.com, dvdprostore.com, dvdsollection.com, dvdsetcollection.com, dvdsetonline.com, dvdsuperdeal.com, eluxury-outlet.com, getdvdset.com, gofactoryoutlet.com, golfstaring.com, golfwholesale18.com, handbag9.com, handbagcom.com, handsbagpop.com, icqshoes.com, ipodnanouk.com, jersey-china.com, jerseyclubhouse.com, jordansbox.com, lifetimereplicas.com, louis-vuitton-outlet-store.com, louisvuittonoutletstore4u.com, louisvuittonoutletstores2u.com, lv-outlets.com, lv-outlets.net, lv-outletstore.com, massnike.com, merrytimberland.com, mycollects.com, mydreamwatches.com, mygolfwholesale.com, mytend.com, nfljerseysupply.com, nibdvd.com,

nystyle Rolex.com, odvdo.com, oebags.com, onsmash.com, overbestmall.com, rapgodfathers.com, realtimberland.com, rmx4u.com, scarfonlineshop.com, scarvesviponsale.com, shawl-stor.com, silkscarfon-sale.com, silkscarf-shop.com, skyergolf.com, sohob2b.com, sohob2c.com, storeofeast.com, stuff-trade.com, sunglasses-mall.com, sunogolf.com, tbl-sports.com, thelouisvuittonoutlet.com, throwbackguy.com, tieonsale.com, timberlandlike.com, topabuy.com, torrent-finder.com, usaburberryscarf.com, and usaoutlets.net.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request if they are in excess of \$50. I hereby agree to pay fees up to \$50. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Aaron Swartz
Filed via MuckRock.com
E-mail (Preferred): requests@muckrock.com
Daytime: (617) (b)(6), (b)(7)c
For mailed responses, please address:
MuckRock
(b)(6), (b)(7)c
Somerville, MA 02143

11-4561

(b)(6), (b)(7)C

From: Naked Government [nakedgovernment.org@gmail.com]
Sent: Thursday, January 06, 2011 5:15 PM
To: ICE-FOIA
Cc: (b)(6), (b)(7)C
Subject: FOIA request about internet domain/name seizures in 2010

and

11-7113

John Parres
NakedGovernment.org
5960 Cornerstone Court West, Suite 100
San Diego, CA 92121
323. (b)(6), (b)(7)C

January 6, 2011

U.S. Department of Homeland Security Immigration and Customs Enforcement (ICE)

FOIA REQUEST

Fee benefit requested
Fee waiver requested ✓
X Expedited processing requested

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of all documents and writings related to all ICE internet domain and domain name seizures in 2010.

I would like to receive the information electronically, preferably in .pdf format.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on government seizure of internet domains and domain names that is of current interest to the public because of possible violations of the First and Fourth Amendments of the United States Constitution. This information is being sought for dissemination to the general public through NakedGovernment.org, a non-profit project of the Robertson Education Empowerment Foundation.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone, rather than by mail, if you have questions regarding this request.

Please provide expedited processing of this request which concerns a matter of urgency. As a journalist, I am primarily engaged in disseminating information. The public has an urgent need for information about government seizure of internet domain names because the public enjoys the right to know under what circumstances the government is seizing property, the act of which may and can abridge free speech. I certify that my statements concerning the need for expedited processing are true and correct to the best of my knowledge and belief.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

Sincerely,

John Parres

11-5659

(b) (6), (b) (7) c

From: Saul St. John (b) (6), (b) (7) c
Sent: Monday, February 07, 2011 9:24 PM
To: ice-foia@dhs.gov
Subject: FOIA Request Form

requestor-name=Saul A. St. John
requestor-address=(b) (6), (b) (7) c
requestor-city=Madison
requestor-state=WI
requestor-zip=53703
requestor-phone=414 (b) (6), (b) (7) c
requestor-fax=
requestor-email=(b) (6), (b) (7) c
document-type=Any written communication and/or records of meetings between Federal officials or representatives, and officials or representatives of the Motion Pictures Association of America ("MPAA"), Recording Industry Association of America ("RIAA"), or the Business Software Alliance ("BSA"), in relation to the seizure of Internet domain names conducted as part of "Operation In Our Sites" or "Operation In Our Sites II".
requestor-description=A-individual
institution-name=
company-name=
media-name=
fee=up-to-25
answer=73
submit=submit form



MICHAEL G. KESSLER
President & CEO

11-5757

February 3, 2011

VIA EMAIL (ice-foia@dhs.gov)

FOIA Office
US Immigration and Customs Enforcement
800 North Capitol Street, NW
5th Floor, Suite 585
Washington, DC 20536

Re: Freedom of Information Request

Dear Sir/Madam:

Under the provisions of the Freedom of Information Law, I am requesting copies of any of the following records that you might have in your possession:

- Any and all documents delineating the source of funding for the recent domain seizures conducted by ICE or any other related agency, including but not limited to the seizures of the following domains:

2009jerseys.com
51607.com
amoyhy.com
b2corder.com
bishoe.com
bortrade.com
bortrade.net
boxcdtvseries.com
boxset4less.com
boxsetseries.com
burberryoutletshop.com
cartoon77.com
cheapscarfshop.com

World Headquarters
45 Rockefeller Plaza • Suite 2000 • New York, NY 10111-2000
Phone: (212) (b)(6) (b)(7)c • Toll Free: (800) (b)(6) (b)(7)c • Fax: (212) 730-2433
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dvdprostore.com
dvdsollection.com
dvdsetcollection.com
dvdsetonline.com
dvdsuperdeal.com
eluxury-outlet.com
getdvdset.com
gofactoryoutlet.com
golfstaring.com
golfwholesale18.com
handbag9.com
handbagcom.com
handbagspop.com
icqshoes.com
ipodnanouk.com
jersey-china.com
jerseyclubhouse.com
jordansbox.com
lifetimereplicas.com
louis-vuitton-outlet-store.com
lv-outlets.com
lv-outlets.net
lv-outletstore.com
massnike.com
merrytimberland.com
mycollects.com
mydreamwatches.com
mygolfwholesale.com
newstylerolex.com
nfljerseysupply.com
nibdvd.com
odvdo.com
oebags.com
onsmash.com
overbestmall.com
rapgodfathers.com
realtimberland.com
rnx4u.com
scarfonlineshop.com
scarfviponsale.com

shawls-store.com
silkscarf-shop.com
silkscarfonsale.com
skyergolf.com
sohob2b.com
sohob2c.com
storeofeast.com
stuff-trade.com
sunglasses-mall.com
sunogolf.com
tbl-sports.com
throwbackguy.com
tiesonsale.com
timberlandlike.com
topabuy.com
torrent-finder.com
usaburberryscarf.com
usaoutlets.net

- Specifically, we are requesting information regarding any funding provided to ICE or any other related agency from private entities and/or corporations.

If any part of this request is denied, please cite the exemption under which you refuse disclosure. I reserve the right to appeal your decision to withhold any information.

If there is a fee charged for fulfilling this request, please provide the records and bill me if the cost does not exceed \$25.00. If the fee will exceed \$25.00, please inform me of the total cost before any charges accrue.

I will greatly appreciate a response at your earliest convenience but not later than the 5 days required. Thank you in advance for your assistance.

Sincerely,



Michael G. Kessler, CFE, CrFA CICA
President & CEO

Tuesday, February 8, 2011

11-6711

Catrina Pavlik-Keenan
U.S. Immigration and Customs Enforcement
800 N. Capitol Street Fifth Floor, Suite 585
Washington, D.C. 20536

2-15-11

Re: Freedom of Information Act Request

Dear Mrs. Pavlik-Keenan,

This is a request under the Freedom of Information Act.

I request that copies of the following documents be provided to me: (1) records regarding Operation in Our Sites; (2) documents describing the standards ICE uses to ensure that ICE does not improperly seize domain names of websites (3) documents related to how ICE measures the costs and benefits of seizing domain names; (4) any and all communication and correspondence between Immigration & Customs Enforcement (ICE) and/or Members of Congress regarding Operation in Our Sites. This includes memos, requested research, audits and reports.

As a student studying Administrative Law, this request is being made for scholarly purposes and not for commercial use. I am willing to pay fees for this request up to a maximum of \$35. If you estimate that the fees will exceed this limit, please inform me first.

Under 5 U.S.C. 552, the statutory deadline for a response is twenty (20) days.

Respectfully Submitted,


Mori Diane

(b)(6), (b)(7)(c)

South Royalton, Vermont 05068

202. (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)



May 27, 2011

VIA EMAIL — ice-foia@dhs.gov

Catrina Pavlik-Keenan
Immigration and Customs Enforcement
800 North Capitol Street, N.W.
5th Floor, Suite 585
Washington, D.C. 20536-5009

11-9132

RE: Freedom of Information Act Request

Dear Ms. Pavlik-Keenan:

This letter constitutes a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and is submitted to the Immigration and Customs Enforcement ("ICE"), Department of Homeland Security ("DHS") on behalf of the Electronic Frontier Foundation ("EFF"). We make this request as part of EFF's FOIA Litigation for Accountable Government ("FLAG") Project, which works to obtain government documents and make them widely available to the public.

In December 2009, the White House hosted a meeting between representatives from federal law enforcement agencies and representatives of the media and publishing industries.¹ The meeting was intended to highlight the Obama Administration's effort to combat online intellectual property ("IP") violations. Secretary of the Department of Homeland Security Janet Napolitano attended the meeting.²

Six months after that meeting, in June 2010, ICE — in conjunction with the Department of Justice — launched "Operation In Our Sites," a "new initiative aimed at Internet counterfeiting and piracy."³ At a press conference touting the seizure of nine web domain names that allegedly hosted or distributed infringing content, ICE Assistant Secretary John Morton stated that the seizures stemmed from ICE's commitment to "protecting the jobs, the income and the tax revenue that disappear when organized criminals traffic in stolen movies for their own profit." Operation In Our Sites represents "the government's response to a crime that is estimated to cost American industry billions of dollars and hundreds of thousands of jobs every year."⁴

In November 2010, ICE seized 82 more domain names, as part of "Operation In Our Sites V. 2.0."⁵ Domain name seizures also occurred in February and May 2011. A program intended to combat online child pornography — Operation Protect Our Children — has also resulted in domain name seizures.⁶

¹ <http://www.wilshireandwashington.com/2009/12/industry-leaders-to-the-white-house-for-piracy-summit.html>

² <http://www.mainjustice.com/2009/12/15/holder-at-white-house-summit-with-entertainment-executives/>

³ <http://www.ice.gov/news/releases/1006/100630losangeles.htm>

⁴ *Id.*

⁵ <http://www.ice.gov/news/releases/1011/101129washington.htm>

⁶ http://www.dhs.gov/ynews/releases/pr_1297804574965.shtm

Accordingly, EFF hereby requests agency records (including, but not limited to, electronic records) created from January 1, 2008 to the present discussing, concerning, or reflecting ICE's strategy for seizing domain names as a means of combating online criminal activity:

- (1) all studies, statistics, or analyses relied upon to support the claim that online infringement "cost[s] American industry billions of dollars and hundreds of thousands of jobs every year," or any other studies, statistics or analyses otherwise relied upon to justify ICE's online IP-enforcement strategy;
- (2) all documents, correspondence, or communications regarding the studies, statistics, or analyses relied upon to justify ICE's online IP-enforcement strategy;
- (3) all documents, correspondence, or communications between officials or employees of ICE and officials or employees of film, music, or publishing companies concerning ICE's online IP-enforcement strategy;
- (4) all documents, correspondence, or communications between officials or employees of ICE and officials or employees of film, music, or publishing-industry associations (including, for example, the Motion Picture Association of America, the Recording Industry Association of America, or the Director's Guild of America) concerning ICE's online IP-enforcement strategy;
- (5) all documents, correspondence, or communications between officials or employees of ICE and lobbyists, attorneys, or representatives of film, music, or publishing companies or industry associations concerning ICE's online IP-enforcement strategy;
- (6) all legal documents, guidance, opinions, and memoranda reflecting, describing, or discussing the statutory and constitutional constraints on seizing internet domain names;
- (7) all documents, correspondence, or communications concerning the effectiveness of domain seizures as a tool for combating online criminal activity.

Format of Documents

FOIA provides that agency records include records "maintained by an agency in any format, including electronic format." 18 USC § 552(f)(2)(A). FOIA also provides that an agency should search for records in "electronic form or format," 18 USC § 552(a)(3)(C), and "shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format." 18 USC § 552(a)(3)(B). Accordingly, we request that, where available and appropriate, the requested records be provided in the following manner:

- (1) That files stored in electronic format be produced in electronic format;

- (2) That files be produced either in their native format (likely appropriate for spreadsheets and database files—for example, Microsoft Excel files produced as .xls electronic files) or as text-searchable pdf formatted files (likely appropriate for word processing documents, letters, memos, or emails);
- (3) That files preserve the “parent / child” relationship between records (for example, if an email has an attachment, that attachment—or, if appropriate, information regarding the attachment’s withholding—should accompany or follow the pdf of the email); and that the beginning and ending of individual records is clearly indicated.

EFF also requests that all pages be consecutively numbered and that the page numbers of records withheld in full be clearly indicated in a document or file accompanying the produced records.

Request for News Media Fee Status

EFF asks that it not be charged search or review fees for this request because it qualifies as a “representative of the news media” pursuant to the FOIA and 6 C.F.R. § 5.11(b)(6). In requesting this classification, we note that the Department of Homeland Security has recognized that EFF qualifies as a “news media” requester, based upon the publication activities set forth below (*see* DHS stipulation attached hereto).

EFF is a non-profit public interest organization that works “to protect and enhance our core civil liberties in the digital age.”⁷ One of EFF’s primary objectives is “to educate the press, policymakers and the general public about online civil liberties.”⁸ To accomplish this goal, EFF routinely and systematically disseminates information in several ways.

First, EFF maintains a frequently visited web site, <https://www.eff.org>, which reports the latest developments and contains in-depth information about a variety of civil liberties and intellectual property issues. EFF posts documents received in response to its FOIA requests here, along with accompanying analysis and commentary. *See* <https://www.eff.org/issues/foia>.

EFF has also regularly published an online newsletter, the EFFector, since 1990. The EFFector currently has more than 77,000 subscribers. A complete archive of past EFFectors is available at <https://www.eff.org/effector/>.

Furthermore, EFF publishes a blog that highlights the latest news from around the Internet. DeepLinks (<https://www.eff.org/deeplinks/>) reports and analyzes newsworthy developments in technology. It also provides miniLinks, which direct readers to other news articles and commentary on these issues.⁹

⁷ Guidestar Basic Report, Electronic Frontier Foundation, <http://www.guidestar.org/pqShowGsReport.do?npold=561625> (last visited July 8, 2009).

⁸ *Id.*

⁹ These figures include hits from RSS feeds through which subscribers can easily track updates to DeepLinks and miniLinks.

In addition to reporting high tech developments, EFF staff members have presented research and in-depth analysis on technology issues in no fewer than eighteen white papers published since 2002. These papers, available at <https://www.eff.org/wp/>, provide information and commentary on such diverse issues as electronic voting, free speech, privacy and intellectual property.

EFF has also published several books to educate the public about technology and civil liberties issues. *Everybody's Guide to the Internet* (MIT Press 1994), first published electronically as *The Big Dummy's Guide to the Internet* in 1993, was translated into several languages, and is still sold by Powell's Books (<http://www.powells.com>). EFF also produced *Protecting Yourself Online: The Definitive Resource on Safety, Freedom & Privacy in Cyberspace* (HarperEdge 1998), a "comprehensive guide to self-protection in the electronic frontier," which can be purchased via Amazon.com (<http://www.amazon.com>). Finally, *Cracking DES: Secrets of Encryption Research, Wiretap Politics & Chip Design* (O'Reilly 1998) revealed technical details on encryption security to the public. The book is available online at <http://cryptome.org/cracking-des.htm> and for sale at Amazon.com.

EFF also records and releases podcasts of interviews with EFF staff and outside experts. *Line Noise* is a five-minute audio broadcast on EFF's current work, pending legislation, and technology-related issues. A listing of *Line Noise* podcasts is available at <feed://www.eff.org/rss/linenoisemp3.xml> and <feed://www.eff.org/rss/linenoiseogg.xml>.

Due to these extensive publication activities, EFF is a "representative of the news media" under the FOIA and agency regulations.

Request for a Public Interest Fee Waiver

EFF is entitled to a waiver of search and duplication fees because disclosure of the requested information is in the public interest within the meaning of 5 U.S.C. § 552(a)(4)(a)(iii) and 6 C.F.R. § 5.11(k). To determine whether a request meets this standard, DHS components determine whether "[d]isclosure of the requested information is likely to contribute significantly to public understanding of the operations or activities of the government," and whether such disclosure "is not primarily in the commercial interest of the requester." 6 C.F.R. § 5.11(k)(1)(i), (ii). This request clearly satisfies these criteria.

First, because ICE is an agency component of the federal government, information concerning ICE's strategy and techniques for combating illegal activity online unquestionably qualifies as the "operations or activities of the government." 6 C.F.R. § 5.11(k)(2)(i).

Second, disclosure of the requested information will "contribute to an understanding of government operations or activities." 6 C.F.R. § 5.11(k)(2)(ii) (internal quotation marks omitted). EFF has requested information that will shed light on the rationale underlying ICE's approach to protecting intellectual property online, as well as the legal justification and analysis ICE relies upon to undertake the domain seizures.

Freedom of Information Act Request—ICE

May 27, 2011

Page 5 of 5

Third, the requested material will “contribute to public understanding” of the strategy and techniques ICE uses to protect intellectual property online. 6 C.F.R. § 5.11(k)(2)(iii) (internal quotation marks omitted). This information will contribute not only to EFF’s understanding, but to the understanding of a reasonably broad audience of persons interested in the subject. EFF will make the information obtained under the FOIA available to the public and the media through its web site and the EFF newsletter, which highlight developments concerning privacy and civil liberties issues.

Fourth, the disclosure will “contribute significantly” to the public’s knowledge and understanding of ICE’s role in protecting intellectual property online. 6 C.F.R. § 5.11(k)(2)(iv) (internal quotation marks omitted). While Operation In Our Sites has received some scrutiny in the press and has been discussed publicly by ICE, far less is known about the economic and legal arguments undergirding ICE’s approach to online intellectual property protection. As such, the response to this FOIA request will undoubtedly contribute significantly to the public’s understanding.

Furthermore, a fee waiver is appropriate here because EFF has no commercial interest in the disclosure of the requested records. 6 C.F.R. § 5.11(k)(3). EFF is a 501(c)(3) nonprofit organization, and will not derive commercial benefit from the information at issue here.

Thank you for your consideration of this request. As the FOIA provides, we will anticipate your determination within twenty (20) business days. If you have any questions or concerns, do not hesitate to contact me at (415) (b)(6) (b)(7)c

Sincerely,

/s/ **Mark Rumold**

Mark Rumold
Open Government Legal Fellow

Attachment