



U.S. Department of Justice

Office of the Solicitor General

Executive Officer
SEP 12 2018

Washington, D.C. 20532

VIA U.S. MAIL or VIA EMAIL to <rosenthal@nilc.org>

Joshua A. Rosenthal
National Immigration Law Center
1121 14th Street NW
Washington, DC 20005

Re: OSG FOIA No. 2017-126913

Dear Mr. Rosenthal:

This letter responds to your Freedom of Information Act (FOIA) request to the Office of the Solicitor General (OSG) dated September 22, 2017, as narrowed on June 22, 2018. The time frame for this request is January 20, 2017 to the present. The requested records are:

1. Any communications between DOJ and the state attorney general plaintiffs regarding the Texas v. U.S. litigation, the DACA program, or the DAPA and expanded DACA programs.
2. Any communications relating or referring to DACA that were sent to or received from any of a specified list of individuals outside of the Executive Branch. This list is as follows:
 - Steve Bannon (in his personal capacity/after leaving the White House);
 - Sebastian Gorka (in his personal capacity/after leaving the White House);
 - Brandon Judd;
 - Brent Bombach;
 - Daniel Cox;
 - Harold Hanson;
 - Alan Metzler (after April 2017);
 - Thomas Szold (after May 2017);
 - Kris Kobach;
 - National ICE Council;
 - National CIS Council;
 - National Border Patrol Council; Center for Immigration Studies;
 - Federation for American Immigration Reform.

3. Any records relating to or referring to DACA that were sent to or received from any member of Congress, Congressional committee, or Congressional staff, and any records created in preparation for or support of such a communication.
4. Any records relating to or referring to DACA that were sent to or received from any governor of a state or territory, gubernatorial staff, or association of governors or state officials, and any records created in preparation for or support of such a communication.

Our office has located 12 pages that are responsive to your request. We are releasing all 12 pages, which consist of two pages of an email communication, six pages of a draft stipulation, and four pages of a filed order. A portion of the email has been redacted under Exemption (b)(5), based on the attorney work product, deliberative process, and attorney-client privileges, and (b)(6), which involves matters of personal privacy. We are providing these records to you at no cost.

If you wish to discuss any aspect of your request, you may contact our FOIA Coordinator at osgfoia@usdoj.gov or at 202-514-2203, using the assigned FOIA tracking number. You may also write to OSG at:

OSG FOIA Public Liaison
Office of the Solicitor General
950 Pennsylvania Avenue, N.W
Washington, DC 20530-0009

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

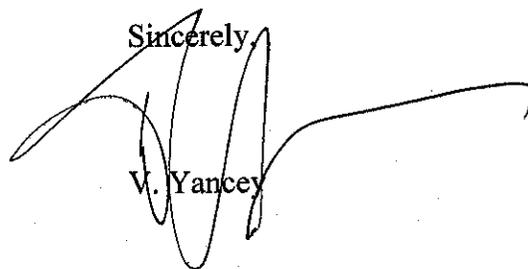
Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001

Email: ogis@nara.gov
Telephone: 202-741-5770; toll free at 1-877-684-6448
Facsimile: 202-741-5769

If you are not satisfied with the response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site:

<https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to be 'V. Yancey', written over the printed name.

V. Yancey

Enclosure:

- Two pages of an email communication, six pages of a draft stipulation and four pages of filed order.

VY/bt