



U.S. Department of Justice

Community Relations Service

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Washington, D.C. 20530

May 30, 2012

Lisette Garcia  
425 Third Street, SW, Suite 800  
Washington, DC 20024

Re: Freedom of Information Act Request

Dear Ms. Garcia:

The Community Relations Service (CRS) has carefully researched and reviewed documents in response to your FOIA request. Under the FOIA, CRS must make available requested information to the greatest extent possible to you. Accordingly, we are releasing to you at no charge 125 pages of documents that are responsive to your request. We are withholding a total of 187 in full under the FOIA exemptions.

There are exemptions under the FOIA, which allow the government to withhold information that otherwise would be responsive to a FOIA request. 5 U.S.C. § 552(b). CRS has withheld some documents in full, a total of 187 pages, and redacted information from documents that have been released to you in accordance to the following FOIA exemptions.

(b)(3) EXEMPTION - Disclosure by Statute. This exemption protects matters specifically exempted from disclosure by statute. Under this exemption, CRS has withheld 185 pages in full. CRS' enabling statute states:

“The activities of all officers and employees of the Service in providing conciliation assistance shall be conducted in confidence and without publicity, and the Service shall hold confidential any information acquired in the regular performance of its duties upon the understanding that it would be so held.” (42 U.S.C. § 2000g-2(b)).

Pursuant to the statute, CRS is prohibited from “engage[ing] in the performance of investigative or prosecutorial functions of any department or agency in any litigation arising out of a dispute in which [CRS conciliators] acted on behalf of the Service.” *Id.* Any CRS employee who releases, in any manner whatsoever, information in violation of the prohibition against disclosure of confidential information or participation in investigative or prosecutorial functions, may be subject to criminal misdemeanor penalties of \$1000 or imprisonment of not more than one year. *Id.*

(b)(6) EXEMPTION - Personal Information Affecting an Individual's Privacy. This exemption permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." This exemption cannot be invoked to withhold from a requester information pertaining to the requester.

Under this exemption, CRS has withheld 2 pages in full, and CRS is releasing 125 pages of documents with redactions. CRS has redacted personal information about CRS employees, those of the City of Sanford, Miami-Dade County, and other third party individuals because their personal privacy outweighs the public interest in disclosing the redacted information.

If you wish to appeal this decision, departmental regulations at 28 CFR Section 16.9 and the FOIA provide that denials may be received within 60 days of your receipt of this letter by filing an appeal with the U.S. Department of Justice, Office of Information Policy, 1425 New York Ave., NW, Suite 11050, Washington, DC 20530. Your appeal should be clearly identified as a "Freedom of Information Act Appeal." Judicial review is available thereafter in the district where the requestor resides or has a principal place of business, the district where the records are located, or the District of Columbia.

Please feel free to contact me if you have questions about this response at [Irene.kho@usdoj.gov](mailto:Irene.kho@usdoj.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Irene Kho', with a long horizontal flourish extending to the right.

Irene Kho  
Legal Advisor/FOIA Officer