



**U.S. Immigration
and Customs
Enforcement**

June 6, 2013

JACQUELINE STEVENS
NORTHWESTERN UNIVERSITY
601 UNIVERSITY PLACE, DEPT. OF POLITICAL SCIENCE
EVANSTON, IL 60208

RE: FOIA Case Number 2013FOIA21895

Dear Ms. Stevens:

This letter responds to your request for a waiver of fees in the processing of your Freedom of Information Act (FOIA) request dated May 29, 2013 and received by this office on June 01, 2013. You have requested all systems data-including spreadsheet data on deportation order terminations by immigration judges or the Board of Immigration Appeals-- as well as all memoranda, reports, email, and all other communications, including but not confined to correspondence with the ICE Office of General Counsel and Public Affairs on which John Morton relied for his assertion that reforms since 2008 have decreased the number of US citizens ICE is detaining or deporting.

- 2) I am requesting a copy of current ICE protocols for when agents or attorneys encounter individuals with probative evidence of US citizenship;
- 3) I am requesting all email correspondence and attachments for January 1, 2013 to present sent to the current USC dropbox email address required by current protocols for when ICE agents or attorneys encounter potential US citizens.

Immigration and Customs Enforcement (ICE) evaluates fee waiver requests under the legal standard set forth above and the fee waiver policy guidance issued by the Department of Justice on April 2, 1987, as incorporated into the Department of Homeland Security's Freedom of Information Act regulations¹. These regulations set forth six factors to examine in determining whether the applicable legal standard for fee waiver has been met. I have considered the following factors in my evaluation of your request for a fee waiver: (1) whether the subject of the requested records concerns "the operations or activities of the government"; (2) whether the disclosure is "likely to contribute" to an understanding of government operations or activities; (3) whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor of a narrow segment of interested persons; (4) whether the contribution to public understanding of government operations or activities will be "significant"; (5) whether the requester has a commercial interest


¹ 6 CFR § 5.11(k).

that would be furthered by the requested disclosure; and (6) whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure that disclosure is primarily in the commercial interest of the requestor.

Upon review of your request and a careful consideration of the factors listed above, I have determined to grant your request for a fee waiver.

If you have any questions pertaining to your request, please contact the FOIA Office at (866) 633-1182.

Sincerely,



Catrina M. Pavlik-Keenan
FOIA Officer