

EXHIBIT 4

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

May 7, 2020

Cassarah Chu
Gibson, Dunn, & Crutcher LLP
200 Park Avenue
Floor 48
New York, NY 10166

COW2020000551
PIN: 306259

Dear Cassarah Chu:

Important Notification: During the national COVID-19 response, our capacity to process paper FOIA requests and deliver records by mail will be greatly reduced.

To sign up for digital release, go to first.uscis.gov, create an account, and register your case using the Control Number: [COW2020000551](#) and PIN: [306259](#). Read the enclosed yellow flyer for more details.

We received your request for information relating to U Visa and Criminal History Records on February 19, 2020. USCIS initially referred your entire request to the DHS Privacy Office under Control Number COW2020000224. Upon reconsideration, USCIS will respond to your requested Items 1-10, 11(a)-(g), and Items 12-13 under this new Control Number COW2020000551. Item 11 (h)-(p) will be referred to the DHS Privacy Office under another control number. You will receive a second letter regarding this referral.

You specifically requested,

"Item 1. Any USCIS policy or policies issued or in effect at any time from 2015 to present referring or relating to the adjudication of U-visa petitions (Form 1-918) or applications for adjustment of status (Form 1-485) based on an underlying U-visa.

2. Any USCIS policy or policies issued or in effect at any time from 2015 to present referring or relating to the relevance of an applicant's prior criminal contact in the adjudication of U-visa petitions or applications for adjustment of status based on an underlying U-visa. Such criminal contact may include, for example, situations where charges were never filed against the applicant, situations where charges were filed and dismissed, situations where the applicant was acquitted at trial of some or all charges, situations where the applicant entered a plea, and/or situations where records have been sealed. This request encompasses policies with any reference to evidence of such contact including, without limitation, policies regarding: the weight to be granted such evidence; the absence of such evidence; the weight to be granted such absence; the withholding of such evidence by an applicant; the weight to be granted such withholding; any presumptions related to any of the above considerations; any effect of any of the above considerations on the exercise of discretion; and the procedures, protocols, or methods for review of such cases.

3. Any change or modification to any policy that falls under items 1 or 2, whether or not such change or modification is currently in force.

4. Any creation of any new policy that falls under items 1 or 2, whether or not such new policy is currently in force.

5. Any abrogation of a previous policy that falls under items 1 or 2, whether or not such abrogation is currently in force.

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6. Any proposed change, modification, creation, or abrogation of a policy that falls under items 1 or 2, whether or not such proposal was ever endorsed or adopted.

7. Any statement of any rationale underlying any of items 1-6, including but not limited to: any aim or goal of any policy or proposed policy, or any reason or purpose for proposing or adopting any policy or proposed policy.

8. Any quantitative or qualitative evaluation of any of items 1-7, either prospective or retrospective, including but not limited to:

a. any basis for the adoption or non-adoption of any policy;

b. any factors considered in the adoption or non-adoption of any policy;

c. any procedure or method for the adoption or non-adoption of any policy;

d. any cost-benefit analysis;

e. any identification, estimation, or accounting of affected parties;

f. any consequences of adoption or non-adoption of any policy;

g. any consequences on the number of visa applications submitted, granted, or denied, or the number of removals of noncitizens;

h. any evaluation of any effect on any other federal agency, or on the subject matter domain of any other federal agency;

i. any evaluation of any effect on any non-federal governmental body, including state governments, state government agencies, state Attorneys General, state prosecutors, local government, local district attorneys, or local law enforcement;

j. any evaluation of any effect on any non-governmental organization; or

k. any process, protocol, strategy, procedure, schematic, or standard for evaluation, or any investigations or evaluations begun or proposed but not completed.

9. Any data, information, or measurements created for or used in connection with any of items 1-8, including but not limited to: census data, USCIS operating statistics (such as

numbers of applications of any type received, processed, approved, or denied), or operating statistics of any other government agency.

10. Any method, strategy, or plan for implementing any of items 1-6.

11. Any communications referring or relating to any of items 1-10 including, but not limited to, communications involving:

a. Any USCIS personnel;

b. Kenneth T. (Ken) Cuccinelli, Acting Director, USCIS;

c. Mark Kaumans, Deputy Director, USCIS;

d. Kathy Nuebel Kovarik, Chief of Staff and Acting Deputy Director, USCIS;

e. Joseph Edlow, Chief Counsel, Office of the Chief Counsel, USCIS;

f. Stephen Dove, Chief, Office of the Executive Secretariat, USCIS;

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- g. Robert Law, Chief, Office of Policy and Strategy, USCIS;
 - h. The U.S. Department of Homeland Security ("OHS"), including OHS field offices, and any OHS leadership or personnel;
 - i. U.S. Immigration & Customs Enforcement ("ICE"), including any ICE leadership or personnel;
 - j. U.S. Customs and Border Protection ("CBP"), including any CBP leadership or personnel;
 - k. The U.S. Department of Justice (DOJ), including the DOJ's Executive Office for Immigration Review (EOIR), any immigration judge, or any other DOJ or EOIR leadership or personnel.
 - l. Any White House personnel, including any member of the President's Administration or Cabinet, any Senior Advisor to the President, and any other White House advisor, acting official, or staff.
 - m. Any members of Congress or Congressional staff;
 - n. Any legal professionals, including immigration judges, immigration lawyers, other judges, or other lawyers;
 - o. Any journalists or members of the news media; and
 - p. Any policy institutions, think tanks, research organizations, and/or other nongovernmental organizations.
12. Standard operating procedures for waivers of inadmissibility for U-visa applicants under INA § 212(d)(3) & § 212(d)(14) from years 2015 to present.
13. Standard operating procedures for adjustment of status applications under INA § 245(m) from years 2015 to present."

We will need to reach out to you at a later date to discuss the scope of your request.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: COW2020000551. Please cite this number in all future correspondence about your request.

We respond to requests on a first-in, first-out basis and on a multi-track system. Your request has been placed in the complex track (Track 2).

Your request for a fee waiver has been granted.

Consistent with 6 C.F.R. § 5.5(a) of the Department of Homeland Security (DHS) FOIA regulations, USCIS processes FOIA requests according to their order of receipt. Although USCIS' goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances. Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Additionally, due to the scope and nature of your request, USCIS will need to locate, compile, and review responsive records from multiple offices, both at headquarters and in the field. USCIS may also need to consult with another agency or other component of the Department of Homeland Security that have a substantial interest in the responsive information. Due to these unusual circumstances, USCIS will invoke a 10-day extension for your request pursuant to 5 U.S.C. § 552(a)(6)(B). Please contact our office if you would like to limit the scope of your request or to agree on a different timetable for the processing of your request. We will make every effort to comply with your request in a timely manner.

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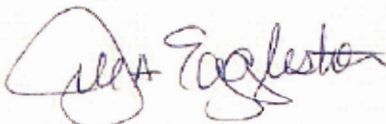
This office now offers an online delivery option. Visit first.uscis.gov to register this request. You will need to create a MyUSCIS account if you do not already have one. Once logged on, click the "Register Request" link where you will be prompted to enter your control number, COW2020000551, and PIN, 306259. A Compact Disc (CD) for use on your personal computer will be mailed if you do not wish to take advantage of digital delivery. To request your responsive records on paper, please include your control number and write to the above address, Attention: FOIA/PA Officer, or fax them to (802) 860-6908.

The National Records Center (NRC) has the responsibility to ensure that personally identifiable information (PII) pertaining to U.S. Citizenship and Immigration Services (USCIS) clients is protected. In our efforts to safeguard this information, we may request that additional information be provided to facilitate and correctly identify records responsive to your request. Though submission of this information is voluntary, without this information, your request may be delayed while additional steps are taken to ensure the correct responsive records are located and processed. Further, if we are unable to positively identify the subject of the record we may be unable to provide records responsive to your FOIA request.

You may check the status of your FOIA request online at first.uscis.gov/#/check-status. If you have any questions concerning your pending FOIA/PA request, or to check the status of a pending application or petition, please call The National Customer Service Center at (800) 375-5283. Please be aware that the National Records Center no longer accepts FOIA/PA related questions directly by phone.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Questions concerning this FOIA/PA request may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead or emailed to USCIS.FOIA@uscis.dhs.gov. Please include the control number listed above on all correspondence with this office. You can now submit a new FOIA request online using our new Freedom of Information Act Records SysTem (FIRST). If you wish to submit a new FOIA/PA request, please visit www.uscis.gov/FOIA for instructions and requirements.

Sincerely,



Jill A. Eggleston
Director, FOIA Operations



U.S. Citizenship
and Immigration
Services

— NEW —

USCIS FOIA HAS GONE DIGITAL!

USCIS has moved to an end-to-end digital FOIA process! The FOIA Office is excited to introduce the new **paperless delivery of your response**. You can now digitally access your responsive records as soon as they are processed, eliminating mail time and remove the risk of receiving a CD that may potentially be damaged in the mail. This delivery option is just one of several enhancements that we have made to make it easier for you to submit a request to our office and help reduce the time it takes to receive a response.

Signing up for Digital Delivery is Quick and Easy:

In the attached acknowledgement letter, follow the instructions on how to set up an account through myUSCIS and link that account to your case. Once complete, you will be able to log into the digital delivery center to view and / or download your responsive records once available. *If you already have a myUSCIS account, simply login and link the case to your existing account.* Once you have linked your case to your account, we will notify you through email once your case has been processed and your records are ready to be picked up.

More Digital Options Now Available:

We are excited to introduce our new paperless FOIA processing options, as well as all of the additional enhancements that will make it easier to make, manage, and receive your requests more quickly, to include:

- Submitting a FOIA Request online
- Faster case processing
- Online personal case management

Go to <https://www.uscis.gov/about-us/freedom-information-and-privacy-act-foia> to find out more information about our online FOIA services today.

If you do not wish to take advantage of this option, we will be providing your records through the mail on a Compact Disc (CD) for use on your personal computer. You may also request your responsive records on paper.