



Shawn Musgrave <smusgrave@revealnews.org>

COW2022000785

Shawn Musgrave <smusgrave@revealnews.org>

Mon, Jul 11, 2022 at 9:43 AM

To: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, scott.a.hodes@uscis.dhs.gov, Victoria Baranetsky <vbaranetsky@revealnews.org>, Najib Aminy <naminy@revealnews.org>

Hello all,

Please disregard my prior email. USCIS disclosed the more granular data early this morning along with the summary data.

However, both data sets only went up to February 2022 rather than the date the search was conducted (or May 2022), which was the revised date range CIR and USCIS previously agreed.

Please confirm that additional productions this week will include the full date range and advise when CIR can expect such productions.

Best,
Shawn

On Mon, Jul 11, 2022 at 9:04 AM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Hello all,

Contrary to multiple assurances from USCIS that the aggregate/summary data would be "immediately available" on Friday, this data was only provided to Najib via the online portal this morning. Additionally, contrary to prior discussions with USCIS, even this aggregate data only went up to February rather than the date the search was conducted.

Once again, CIR requests that USCIS provide an actual date this week that the full data will be provided. Additionally, please confirm that this data will conform to the revised request regarding date range.

If USCIS does not abide by our agreement, we will be unable to avoid litigation, which has been CIR's aim for several weeks.

Respectfully,
Shawn

On Fri, Jul 8, 2022 at 5:22 PM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Hello all,

On June 14, Mr. Panter indicated USCIS "can commit to July 8th to provide the HP Applicant data." Based on this commitment, CIR agreed to forgo filing litigation regarding this FOIA request.

Earlier today, Mr. Panter indicated that USCIS would not fulfill this agreement. He indicated that although "summary data" (also called "aggregate data") was "immediately available," the more "detailed granular data" would not be available until next week. In subsequent messages, Mr. Panter indicated the summary/aggregate data would be provided to Mr. Aminy today via his online account.

It is now close of business on the West Coast, and Mr. Aminy has not received the summary data — data which Mr. Panter emphasized multiple times was "immediately available." If USCIS does not provide the summary data today, this will be yet another violation of its commitment to provide data pursuant to this FOIA request. Such a failure will also strongly suggest USCIS is not operating in good faith to avoid needless litigation.

Please advise immediately as to when the summary data will be provided, as well as when the granular data will be provided next week.

Respectfully,
Shawn

On Fri, Jul 8, 2022 at 4:21 PM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Hi Jarrod,

Najib has not yet received the data. It is past EOD on the East Coast and approaching EOD for West Coast. Will your office still be providing the data today?

-Shawn

On Fri, Jul 8, 2022 at 1:09 PM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Thank you, Jarrod. We will confirm once that data is received.

When next week, specifically, will USCIS send the rest of the data? CIR still hopes to avoid litigation over this FOIA request, but additional delays do not align with the prior agreement.

Respectfully,
Shawn

On Fri, Jul 8, 2022 at 12:06 PM Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov> wrote:

Shawn,

We will be providing the summary data today. You will receive it electronically through your online account.

Respectfully,

Jarrood

From: Shawn Musgrave <smusgrave@revealnews.org>

Sent: Friday, July 8, 2022 2:02 PM

To: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>

Subject: Re: COW2022000785

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Jarrood,

Please advise as to what the agency plans to do today. I can call in an hour or so if we need to discuss this any further.

-Shawn

On Fri, Jul 8, 2022, 10:05 AM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Jarrood,

Please send the data you have ready immediately and I will let you know our position. It is unclear what exactly the agency is asking for, but we cannot state any position without seeing today's production.

Frankly, we are beginning to worry that USCIS is attempting to renege on the agreement we entered into last month to forgo litigation.

We look forward to your immediate production. Please let me know if that will be sent to me or to Mr. Aminy directly.

-Shawn

On Fri, Jul 8, 2022 at 10:00 AM Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov> wrote:

Shawn,

I can provide summary data immediately but the detailed granular data you are requesting I won't be able to provide until next week.

Respectfully,

Jarrold

From: Shawn Musgrave <smusgrave@revealnews.org>
Sent: Friday, July 8, 2022 10:13 AM
To: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>
Subject: Re: COW2022000785

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Hi Jarrod,

We look forward to the immediate production of data, as agreed. Without seeing that production, I'm not sure what metadata would mean in the context of this FOIA request.

Best,

Shawn

On Fri, Jul 8, 2022 at 7:45 AM Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov> wrote:

Good morning Shawn,

We can provide the aggregate data immediately. We are working with the program office to obtain the meta data and will not receive it until next week.

Thank you,

Jarrood

From: Shawn Musgrave <smusgrave@revealnews.org>

Sent: Friday, July 8, 2022 9:06 AM

To: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>

Subject: Re: COW2022000785

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Dear Jarrod,

We look forward to hearing from you today and receiving the HP data as previously agreed.

Best,

Shawn

On Wed, Jul 6, 2022, 1:22 PM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Hi Jarrod,

Hope you're doing well. Checking in to confirm that USCIS will still be able to produce the data by Friday?

Best,

Shawn

On Tue, Jun 28, 2022 at 9:41 AM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Thank you for the update, Jarrod.

We look forward to receiving the HP data by July 8 (next Friday), as we agreed in exchange for deferring filing the FOIA complaint.

Best,

Shawn

On Mon, Jun 27, 2022 at 9:06 AM Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov> wrote:

It is being processed right now.

Respectfully,

Jarrod

From: Shawn Musgrave <smusgrave@revealnews.org>
Sent: Monday, June 27, 2022 11:03 AM
To: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>
Subject: Re: COW2022000785

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Hi Jarrod,

Please provide a status update so we are confident USCIS is on track to the previously agreed deadline.

Best,

Shawn

On Thu, Jun 23, 2022 at 1:38 PM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Hi Jarrod,

I hope you're doing well. I'm checking in to see if the FOIA office is on track to deliver the HP data by July 8.

Best,

Shawn

On Tue, Jun 14, 2022 at 10:46 AM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Jarrold,

Glad to hear. I'll inform my team and check back with you in a week or so to make sure everything is on track.

Best,

Shawn

On Tue, Jun 14, 2022 at 10:13 AM Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov> wrote:

Shawn,

We can commit to July 8th to provide the HP Applicant data.

Jarrold Panter

Acting Chief Significant Interest Group

Freedom of Information Act

National Records Center

United States Citizenship and Immigration Service

Jarrod.t.panter@uscis.dhs.gov

816-350-5514

From: Shawn Musgrave <smusgrave@revealnews.org>
Sent: Tuesday, June 14, 2022 11:52 AM
To: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>
Subject: Re: COW2022000785

CAUTION: This email originated from outside of the Federal Government. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the USCIS Security Operations Center with questions or click the "Report Phishing" button to report it as a phishing attempt.

Hi Jarrod,

If USCIS commits to producing the data within 3 weeks — i.e., **by the end of day on July 8** — we will hold off on filing our complaint. If not, we will have no choice but to sue to enforce our reporter's rights.

Our reporter has been incredibly patient and worked with USCIS over several weeks. By USCIS's own assessment, the HP Applicant data will require very minimal processing. Three weeks is a reasonable timeframe.

Please let me know the agency's position by the end of day tomorrow.

Best,

Shawn

On Tue, Jun 14, 2022 at 8:20 AM Shawn Musgrave <smusgrave@revealnews.org> wrote:

Thank you, Jarrod. I'll run this by my team. How confident are you that your office will produce the data by July 18?

On Tue, Jun 14, 2022, 5:58 AM Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov> wrote:

Good morning Shawn,

I think we can get the HP Applicant data to you in a month. Let's say July 18th. Are you in agreement with this timeline?

Thank you,

Jarrod Panter

Acting Chief Significant Interest Group

Freedom of Information Act

National Records Center

United States Citizenship and Immigration Service

Jarrod.t.panter@uscis.dhs.gov



816-350-5514