



Shawn Musgrave <smusgrave@revealnews.org>

COW2022000785 3rd Rolling Release

15 messages

Pinkerton, Christopher M (Chris) <christopher.m.pinkerton@uscis.dhs.gov> Wed, Jul 20, 2022 at 8:54 AM
To: "smusgrave@revealnews.org" <smusgrave@revealnews.org>, "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>
Cc: "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Good morning,

Please find attached the third rolling release of records for COW2022000785 as well as the final action letter. These documents will also be available in your FIRST account within the next two business days.

Christopher Pinkerton

Government Information Specialist

National Records Center

U.S. Citizenship and Immigration Services

Christopher.M.Pinkerton@uscis.dhs.gov

2 attachments **COW2022000785 7.20.22 FAL.pdf**
128K **COW2022000785 SEQ 48 Redacted Records.xlsx**
5407K

Shawn Musgrave <smusgrave@revealnews.org> Wed, Jul 20, 2022 at 9:38 AM
To: Najib Aminy <naminy@revealnews.org>, Soo Oh <soh@revealnews.org>, Victoria Baranetsky <vbaranetsky@revealnews.org>, Dhruv Mehrotra <dmehrotra@revealnews.org>, Brendan Gilligan <bgilligan@revealnews.org>

(just CIR)

Hi all, please see USCIS's latest data release and let me know ASAP if it's what we need. Today was the day we threatened to file our lawsuit.

-Shawn
[Quoted text hidden]

2 attachments **COW2022000785 7.20.22 FAL.pdf**
128K **COW2022000785 SEQ 48 Redacted Records.xlsx**

5407K

Shawn Musgrave <smusgrave@revealnews.org>

Wed, Jul 20, 2022 at 11:21 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>
Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>
Bcc: Najib Aminy <naminy@revealnews.org>, Brendan Gilligan <bgilligan@revealnews.org>

Hello all,

Thank you for sending this production. As you are aware, CIR previously indicated it would commence litigation today if USCIS did not fulfill this overdue FOIA request.

Please note that Item #15 of Mr. Aminy's request has not yet been fulfilled. We also found that a prior spreadsheet regarding HP applicants' fee waiver requests (attached for reference) had the same data query error as in the second production: i.e., the data only reflected HP applications received as of February 1, 2022.

As I wrote in my prior email, CIR's position remains that it is appropriate for USCIS to update both spreadsheets — (1) HP application status and (2) HP fee waivers — to reflect applications received **as of July 15, 2022 (or the day the queries are run)**.

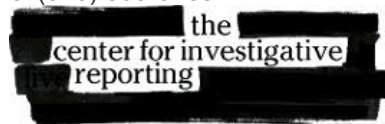
If USCIS agrees to update both spreadsheets (including all tabs) with this timeframe by the end of the week, CIR will delay commencing litigation.

Please advise on USCIS's position regarding the above. And feel free to give me a call if you desire to discuss this matter further.

Best,
Shawn

[Quoted text hidden]

--
Shawn Musgrave
First Amendment Fellow
Admitted in California
Pronouns: he/him/his
c: (510) 809-3165



Shawn Musgrave <smusgrave@revealnews.org>

Wed, Jul 20, 2022 at 11:26 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>
Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>
Bcc: Brendan Gilligan <bgilligan@revealnews.org>, Najib Aminy <naminy@revealnews.org>

Apologies, the spreadsheet I mentioned from the prior production was not attached. Here it is.

Best,
Shawn

[Quoted text hidden]

 **FOIACOW2022000785v2 Redacted.xlsx**
5337K

Shawn Musgrave <smusgrave@revealnews.org>

Thu, Jul 21, 2022 at 10:45 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>
Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Hello all,

I'm writing to confirm that this morning Mr. Aminy received (via the online FOIA portal) a duplicate of the spreadsheet which was sent to my attention yesterday via this email thread.

Please advise as to the agency's position on the data query time frame, as discussed below.

Best,
Shawn

[Quoted text hidden]

Shawn Musgrave <smusgrave@revealnews.org>

Fri, Jul 22, 2022 at 9:26 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>

Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Hello all,

I'm writing to note that CIR and Mr. Aminy still have not received any updated data. Please advise as to whether USCIS plans to provide that by EOD today.

Best,
Shawn

[Quoted text hidden]

Shawn Musgrave <smusgrave@revealnews.org>

Mon, Jul 25, 2022 at 10:47 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>

Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Hello all,

I'm writing to note that CIR and Mr. Aminy still have not received any updated data or any response from USCIS as to its position regarding the outstanding data. Item #15 in the request remains outstanding, as well.

We look forward to hearing from you today on this matter, in keeping with our agreement weeks ago.

Best,
Shawn

[Quoted text hidden]

Shawn Musgrave <smusgrave@revealnews.org>

Wed, Jul 27, 2022 at 10:16 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>

Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Hello all,

I just left a voicemail with Mr. Panter because it has been a week since we last received any update from USCIS. I will attempt to reach Mr. Pinkerton and Mr. Hodes by phone. Please give me a call today with the agency's position: 510-809-3165.

To reiterate: both portions of Mr. Aminy's request — (1) the HP data, and (2) training documents — remain unfulfilled. We agreed to delay litigation based on a commitment from USCIS to provide, at minimum, the HP data by July 8. USCIS has not upheld that portion of its commitment.

Respectfully,
Shawn

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Shawn Musgrave <smusgrave@revealnews.org>

Wed, Jul 27, 2022 at 10:37 AM

To: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>

Cc: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>
Bcc: Brendan Gilligan <bgilligan@revealnews.org>, Andrea Kerndt <akerndt@revealnews.org>

Hello all,

After speaking with Mr. Hodes, I will again clarify CIR's position as to the HP data: at absolute minimum, USCIS must provide all requested HP data **up to May 1, 2022**.

As I noted in my email last week (July 20), the attached spreadsheet regarding HP applicants' fees and fee waivers only goes up to February 1, 2022. If USCIS provides the next three months of data up to May 1 — as it did for the HP application status data — the entire HP data portion of this FOIA request will be completed.

Given CIR's patience, CIR's multiple attempts to obtain USCIS's position on this matter, and USCIS's demonstrated ability to quickly rectify errors in data query timeframe, this is a reasonable way to avoid litigation.

Please advise immediately regarding USCIS's position and if CIR can provide any additional clarification. Here again is my cell: 510-809-3165.

Respectfully,
Shawn

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FOIACOW202200785v2 Redacted.xlsx
5337K

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

Wed, Jul 27, 2022 at 11:35 AM

To: Shawn Musgrave <smusgrave@revealnews.org>, "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>

Cc: "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Mr. Musgraves,

We have verified with the program office that you have received all of the requested HP data up to May 1st, 2022.

Respectfully,

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: Wednesday, July 27, 2022 12:38 PM
To: Pinkerton, Christopher M (Chris) <christopher.m.pinkerton@uscis.dhs.gov>
Cc: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>; Hodes, Scott A <scott.a.hodes@uscis.dhs.gov>; vbaranetsky@revealnews.org
Subject: Re: COW2022000785 3rd Rolling Release

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Shawn Musgrave <smusgrave@revealnews.org> Wed, Jul 27, 2022 at 11:46 AM
 To: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>
 Cc: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, "vbaranetsky@revealnews.org" <vbaranetsky@revealnews.org>

Thank you for getting back to me, Jarrod.

We have not received the HP fee waiver data up to May 1, 2022, which is why I have been following up on this matter for the past week. If it is already prepared for release, please send it to my attention via this email thread.


The only version of the fee waiver spreadsheet we have received (attached here again for reference) only goes up to Feb. 1, 2022, as you can see from the query description at the top of each tab:

A	B	C	D	E	F	G	H	I
Office of Intake and Document Production								
Intake Operation Division - Lockbox Operation								
Data Type	Humanitarian Parole Afghan at USCIS Lockboxes							
Data Range:	July 1, 2021 to February 1, 2022 (data from January 1, 2021 - June 30, 2021 not available)							
Note:	Afghan nationals identified by various country fields on Form I-131, including but not limited to Country of birth, country of citizenship, beneficiary country of birth... Countries are not required field therefore they are not validated at the Lockboxes. Data provided relies on applicants' accuracy Data provided are accurate at time of intake and do not reflect changes made during adjudication process.							

A	B	C	D	E	F	G	H	I	
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975	Lockbox Intake Date	Year of Birth	Form Type	Country of Birth	Country of Citizenship	State	Province	Address Country	Beneficiary State
	7/1/22	1991	1131	AFG	AFG	TX		IRAK	

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Office of Intake and Document Production													
Intake Operation Division - Lockbox Operation													
Data Type	Fee waivers for Afghan nationals												
Data Range:	1/1/2021 - 2/1/2022												
Note:	Afghan nationals identified by Country of Birth only. No other country fields used. Country of Birth is not a required field Country of Birth is not a validated field at intake. Data below relies on applicants' accuracy. This report will not sync with response to Item 12. This report only identified by Country of Birth. Response to Item 12 utilized many country fields.												
017	Fee Waiver Adjudication Date	Country of Birth	Year of Birth	Form Type	Fee Waived								
	01_Feb_22	Afghanistan	2017	1185	YFC								

Regards,
 Shawn
 [Quoted text hidden]

 **FOIACOW2022000785v2 Redacted.xlsx**
 5337K

Shawn Musgrave <smusgrave@revealnews.org> Thu, Jul 28, 2022 at 8:06 AM
 To: "Panter, Jarrod T" <Jarrod.T.Panter@uscis.dhs.gov>

Cc: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, Victoria Baranetsky <vbaranetsky@revealnews.org>

Hello all,

I've just checked with Mr. Aminy again. He still has not received the HP fee data up through May 1.

Under these circumstances, it seems that after months of cooperative negotiation, the agency is now eager for a FOIA lawsuit to be filed over the remaining three months of data -- which the agency even claims to have already prepared for release. I do not know another way of interpreting the situation, and it is how I expect a court might read it, too. That would truly be a waste of everyone's resources, and I hope the agency can prove my reading incorrect by simply providing the data and closing out this portion of the request.

Additionally, the agency has not provided an estimated completion date for Item #15 of the request. Please advise on that immediately.

Respectfully,
Shawn

[Quoted text hidden]

Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>
To: Shawn Musgrave <smusgrave@revealnews.org>
Cc: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, Victoria Baranetsky <vbaranetsky@revealnews.org>

Thu, Jul 28, 2022 at 8:11 AM

Shawn,

We are working with the program office this morning to obtain the fee data. We were under the impression the program offices had provided all of the requested data. We hope to have this data by next week.

Respectfully,

Jarro

From: Shawn Musgrave <smusgrave@revealnews.org>
Sent: Thursday, July 28, 2022 10:06 AM
To: Panter, Jarrod T <Jarrod.T.Panter@uscis.dhs.gov>
Cc: Pinkerton, Christopher M (Chris) <christopher.m.pinkerton@uscis.dhs.gov>; Hodes, Scott A <scott.a.hodes@uscis.dhs.gov>; Victoria Baranetsky <vbaranetsky@revealnews.org>
Subject: Re: COW2022000785 3rd Rolling Release

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Respectfully,

Shawn

On Wed, Jul 27, 2022, 11:46 AM Shawn Musgrave <smusgrave@revealnews.org> wrote:

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	Countries are not required field therefore they are not validated at the Lockboxes. Data provided relies on applicants' accuracy							
	Data provided are accurate at time of intake and do not reflect changes made during adjudication process.							

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Intake Operation Division - Lockbox Operation								
Data Type	Humanitarian Parole Afghan at USCIS Lockboxes							
Data Range:	July 1, 2021 to February 1, 2022 (data from January 1, 2021 - June 30, 2021 not available)							
Note:	Afghan nationals identified by various country fields on Form I-131, including but not limited to Country of birth, country of citizenship, beneficiary country of birth...							
	Countries are not required field therefore they are not validated at the Lockboxes. Data provided relies on applicants' accuracy							
	Data provided are accurate at time of intake and do not reflect changes made during adjudication process.							
	Data provided is a subset of data for response to Item 4							
Lockbox Intake Date	Year of Birth	Form Type	Country of Birth	Country of Citizenship	State	Province	Address Country	Beneficiary State
7/1/22	1991	I131	AFG	AFG	TX		IRAK	

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Office of Intake and Document Production													
Intake Operation Division - Lockbox Operation													
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Data Range:	1/1/2021 - 2/1/2022												
Note:	Afghan nationals identified by Country of Birth only. No other country fields used.												
	Country of Birth is not a required field												
	Country of Birth is not a validated field at intake. Data below relies on applicants' accuracy.												
	This report will not sync with response to Item 12. This report only identified by Country of Birth. Response to Item 12 utilized many country fields.												
Fee Waiver Adjudication Date	Country of Birth	Year of Birth	Form Type	Fee Waived									
01-Feb-22	Afghanistan	2017	I131	VEC									

Regards,

Shawn

[Quoted text hidden]

Shawn Musgrave <smusgrave@revealnews.org>

Thu, Jul 28, 2022 at 9:38 AM

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

Cc: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, Victoria Baranetsky <vbaranetsky@revealnews.org>

Bcc: Brendan Gilligan <bgilligan@revealnews.org>, Andrea Kerndt <akerndt@revealnews.org>

Jarrold,

Thank you for confirming this remaining data has not yet been produced. Given the delays to date, we look forward to receiving the outstanding data by the close of business tomorrow.

Please advise on the estimated completion date for Item #15.

Regards,

Shawn

[Quoted text hidden]

Shawn Musgrave <smusgrave@revealnews.org>

Mon, Aug 1, 2022 at 12:06 PM

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

Cc: "Pinkerton, Christopher M (Chris)" <christopher.m.pinkerton@uscis.dhs.gov>, "Hodes, Scott A" <scott.a.hodes@uscis.dhs.gov>, Victoria Baranetsky <vbaranetsky@revealnews.org>

Hello all,

I'm writing to note that CIR has yet to receive the complete HP data, and that USCIS still has not provided an estimated completion date as to Item #15. Please advise.

Regards,

Shawn

[Quoted text hidden]