



Kendall Taggart <kendall.t.taggart@gmail.com>

ICE FOIA Request 2017-ICFO-47325

ICE-FOIA <ICE-FOIA@ice.dhs.gov>
To: Kendall Taggart <kendall.t.taggart@gmail.com>

Mon, Feb 26, 2018 at 4:34 PM

Good afternoon,

From a discussion with management, the best estimate for document delivery is basically the online estimator which I believe states a delivery estimate of 12/20/17.

Sincerely,

ICE FOIA

From: ICE-FOIA
Sent: Monday, February 26, 2018 1:26 PM
To: 'Kendall Taggart'
Subject: RE: ICE FOIA Request 2017-ICFO-47325

Good afternoon,

An estimated completion date is kind of hard to determine. I will check with management and see if I can provide one. I will check with the program manager as well and get back to you later today.

Sincerely,

ICE FOIA

From: Kendall Taggart [mailto:kendall.t.taggart@gmail.com]
Sent: Friday, February 23, 2018 11:13 AM
To: ICE-FOIA
Subject: Re: ICE FOIA Request 2017-ICFO-47325

Thank you. Could you provide an estimated date of completion?

Exhibit B

On Fri, Feb 9, 2018 at 5:37 PM, ICE-FOIA <ICE-FOIA@ice.dhs.gov> wrote:

Good afternoon,

Responsive documentation has been received by the program office[s] and this request has been assigned to a program manager for processing.

Sincerely,

ICE FOIA

From: Kendall Taggart [<mailto:kendall.t.taggart@gmail.com>]

Sent: Friday, February 09, 2018 5:25 PM

To: ICE-FOIA

Subject: Re: ICE FOIA Request 2017-ICFO-47325

Good afternoon,

Checking in on the status of this request.

Do you have an estimated date of completion?

Best,

Kendall

On Fri, Dec 22, 2017 at 1:07 PM, Kendall Taggart <kendall.t.taggart@gmail.com> wrote:

Good afternoon,

To date, I still have not received an estimated date of completion.

As you are aware, 5 U.S.C. § 552(a)(7) states, in pertinent part, "Each agency shall ... provide[] information about the status of a request to the person making the request ... , including ... an estimated date on which the agency will complete action on the request."

Please be aware that stating the request's place in your queue will not satisfy the statutory burden. Nor will stating that the agency has a backlog of requests and thus cannot provide an estimated date of completion.

On Wed, Oct 11, 2017 at 12:38 PM, Kendall Taggart <kendall.t.taggart@gmail.com> wrote:

Good afternoon,

Thank you for the response. Could you provide a specific date, as required by statute?

Best,

Kendall

On Wed, Oct 11, 2017 at 9:34 AM, ICE-FOIA <ICE-FOIA@ice.dhs.gov> wrote:

Good morning,

This request is currently active and the program office[s] are searching for documentation.

Sincerely,

ICE FOIA

From: Kendall Taggart [mailto:kendall.t.taggart@gmail.com]
Sent: Saturday, October 07, 2017 3:24 PM
To: US DHS Immigration and Customs Enforcement FOIA Office
Subject: Re: ICE FOIA Request 2017-ICFO-47325

Good afternoon,

Circling back on this request, hoping you can get me an estimated date of completion by the end of next week.

Best,

Kendall

On Mon, Oct 2, 2017 at 10:30 AM, Kendall Taggart <kendall.t.taggart@gmail.com> wrote:

Thank you!

Could you please provide an estimated date on which the agency will complete action on this FOIA request?

As you are aware, 5 U.S.C. § 552(a)(7) states, in pertinent part, "Each agency shall ... provide[] information about the status of a request to the person making the request ... , including ... an estimated date on which the agency will complete action on the request."

Please be aware that stating the request's place in your queue will not satisfy the statutory burden. Nor will stating that the agency has a backlog of requests and thus cannot provide an estimated date of completion.

Best,

Kendall

On Mon, Sep 25, 2017 at 9:40 AM, <ice-foia@dhs.gov> wrote:

September 25, 2017

VIA EMAIL kendall.t.taggart@gmail.com

Kendall Taggart
BuzzFeed News
[111 E 18th St](#)
Newsroom
New York, NY 10003

RE: ICE FOIA Case Number 2017-ICFO-47325

Dear Mr. Taggart:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated September 15, 2017, and to your request for expedited treatment and a waiver of all assessable FOIA fees. Your request was received in this office on September 15, 2017. Specifically, you requested 1) all written notices to the each ICE field office director of instances when a detainee has been held continuously in segregation. 2) all subsequent reviews conducted by the Field Office Director, or his or her staff. (see request for additional details) (Date Range for Record Search: From 1/1/2016 To 9/15/2017).

Your request for expedited treatment is hereby granted.

As it pertains to your request for a fee waiver, 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 regulations[[1](#)]. 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 or 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 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.

ICE has queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, please contact FOIA office. You may send an e-mail to ice-foia@ice.dhs.gov, call free (866) 633-1182, or you may contact our FOIA Public Liaison, Fernando Pineiro, in the same manner. Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Your request has been assigned reference number **2017-ICFO-47325**. Please refer to this identifier in any future correspondence. To check the status of an ICE FOIA/PA request, please visit <http://www.dhs.gov/foia-status>. Please note that to check the status of a request, you must enter the 2017-ICFO-XXXXX tracking number.

Regards,

ICE FOIA Office
Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009
Telephone: 1-866-633-1182
Visit our FOIA website at www.ice.gov/foia

[1] 6 CFR § 5.11(k).