

EXHIBIT D



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

February 14, 2019

Mr. David S. Cohen, Partner
Milbank, Tweed, Hadley & McCloy LLP
1850 K Street, NW, Suite 1100
Washington, DC 20006
Dcohen@milbank.com

Re: DOJ-2019-002014
VRB:VAV:SBT

Dear Mr. Cohen:

This is to acknowledge receipt of the Freedom of Information Act (FOIA) request submitted on behalf of your client, Asian Americans Advancing Justice, dated and received in this Office on February 4, 2019, in which you requested specified records related to the implementation of the Department of Homeland Security's "Notice to Appear" guidance policy issued on June 28, 2018, numbered PM-602-0050.1.

You have requested expedited processing of your request. I have determined that your request for expedited processing should be granted. Accordingly, your request has been assigned to an analyst in this Office and our processing of it has been initiated.

Although your request has been granted expedited processing, we are required to advise you that the records you seek require a search in and/or consultation with another Office, and so your request falls within "unusual circumstances." See 5 U.S.C. 552 § (a)(6)(B)(i)-(iii) (2012 & Supp. V 2017). Accordingly, we have not yet completed a search to determine whether there are records within the scope of your request. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. Furthermore, any decision with regard to the application of fees will be made only after we determine whether fees will be implicated for this request. Your request has been assigned to the expedited track and will be processed as soon as practicable.

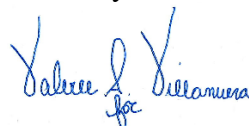
For your information, the FOIA operation for the Department of Justice is decentralized and each component maintains its own records. This Office is responding on behalf of the Office of the Attorney General. Based on the information you have provided, you may also wish to direct your request to the Executive Office for Immigration Review and/or the Civil Division. Contact information for the FOIA offices of these components is available at the following link: <https://www.justice.gov/oip/find-foia-contact-doj/list>.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact the analyst handling your request, Sara Tennant, by telephone at the above number or you may write to her at the above

address. You may also contact our FOIA Public Liaison, Douglas Hibbard, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001; telephone at 202-514-3642; or facsimile at 202-514-1009.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, 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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vanessa R. Brinkmann".

Vanessa R. Brinkmann
Senior Counsel