

Exhibit C



June 17, 2019

U.S. Citizenship and Immigration Services
National Records Center, FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010
Via fax: (816) 350-5785

Re: Freedom of Information Request: Unaccompanied Child Procedures

To Whom It May Concern:

Kids in Need of Defense, Inc. ("KIND") submits this letter as a request for information under the Freedom of Information Act, as amended (FOIA), 5 U.S.C. § 552 *et seq.* (and, in particular, § 552(a)(2)):

Records

KIND seeks the following records¹:

1. Any attachments or exhibits to the memorandum dated May 31, 2019, issued by John Lafferty, Chief, Asylum Division, titled "Updated Procedures for Asylum Applications Filed by Unaccompanied Alien Children," which was publicly posted June 14, 2019, at https://www.uscis.gov/sites/default/files/USCIS/Refugee%2C%20Asylum%2C%20and%20Int%27I%20Ops/Asylum/Memo_-_Updated_Procedures_for_I-589s_Filed_by_UACs_5-31-2019.pdf (hereinafter "Lafferty Memo"), including, without limitation, the three Attachments noted on page 6 of that document;
2. Any transmission or cover memos used to transmit the Lafferty Memo to Asylum Officers, the Administrative Appeals Unit, or any other recipient within USCIS; and
3. Any training materials, including without limitation train-the-trainer instructions, scripts, slides, worksheets, fact sheets, or other documents, prepared or disseminated in connection with the Lafferty Memo.

KIND requests these records from May 30, 2019 until the date of your final response to this request, i.e., as an ongoing request such that all records that come into USCIS's possession prior to a final response to the request are within its scope.

If, under applicable law, any of the information requested is considered exempt from disclosure, please describe in detail the nature of the information withheld, the specific exemption or privilege on the basis of

¹ The term "records" includes, but is not limited to: communications, correspondence, directives, documents, data, videotapes, audiotapes, e-mails, faxes, files, guidance, guidelines, standards, evaluations, instructions, analyses, memoranda, agreements, notes, orders, policies, procedures, protocols, reports, rules, manuals, technical specifications, training materials, and studies, including records kept in written form, or electronic format on computers and/or other electronic storage devices, electronic communications and/or videotapes, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations.

which it is withheld, and wither portions of documents containing non-exempt or non-privileged information have been provided.

Request for Fee Waiver

KIND asks that USCIS waive all fees associated with this request. FOIA provides for such waivers where, as here, disclosure of the information is “likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester,” 5 U.S.C. § 552(a)(4)(A)(iii); 6 C.F.R. 5.11(k). KIND is able to and expects to widely disseminate the requested information, including through its website (supportkind.org) and/or e-mail lists.

Disclosure of these records is in the public interest as it will contribute significantly to public understanding of the disposition of claims to protection under U.S. asylum law and applicable treaties. Such information is of great public interest given widespread news coverage and public discussion of child migrants, refugees, and asylum seekers. KIND believes these records will reflect a substantial change in policy by USCIS that will affect large numbers of USCIS applicants, and that such records will be of broad interest to current and potential applicants and the immigration bar.

KIND is a non-profit organization providing legal services and other advocacy. KIND expects to post information received through this FOIA response on its website and/or that of partner nonprofit organizations and legal service providers.

By the same token, as KIND is a non-profit organization, the information requested is not primarily, or indeed in any cognizable sense, in the commercial interest of the requester.

Request for Expedited Processing

Pursuant to 6 C.F.R. 5.5(e)(1)(ii)-(iii) and the USCIS FOIA Manual, KIND requests expedited processing of this request. The Lafferty Memo purports to change the legal consequences of acts and omissions undertaken in the past and on an ongoing basis, and affected persons have an urgent need to understand USCIS’s policy in full and the way it will be implemented. Indeed, retroactive application of the Lafferty Memo threatens substantial due process rights of vulnerable children seeking humanitarian protection from USCIS, and providing the affected children and the child-representing attorney community with all such relevant documents urgently needed.

Recipient Details

Please provide all applicable records to:

Scott Shuchart
Kids in Need of Defense, Inc.
1201 L St., NW, Floor 2
Washington, DC 20005

Phone: 202-318-0595
E-mail: sshuchart@supportkind.org

Thank you for your prompt attention to this urgent request.

Pursuant to USCIS's Freedom of Information Act Request Guide, I certify that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Scott A. Shuchart", is written over a light blue rectangular background.

Scott Shuchart
Senior Director for Legal Strategy