

Amy Barsky

From: ice-foia@dhs.gov
Sent: Thursday, April 9, 2020 11:08 AM
To: Amy Barsky
Subject: ICE FOIA Request 2020-ICFO-32371

April 09, 2020

Amy Barsky
Fick & Marx LLP
24 Federal St. 4th Floor
Boston, MA 02110

RE: ICE FOIA Case Number 2020-ICFO-32371

Dear Ms. Barsky:

This acknowledges receipt of your April 01, 2020, Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), for seeking any and all records any communications regarding the removal of Cristian Starling Aguasvivas (please see request for AKA's), COB: Dominican Republic, DOB: 8/25/88. Your request was received in this office on April 01, 2020.


Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, ICE processes FOIA requests according to their order of receipt. Although ICE's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10- day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, ICE will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to non-commercial requesters. As a non-commercial requester, you will be charged 10 cents per page for duplication; the first 100 pages are free, as are the first two hours of search time, after which you will pay the per quarter-hour rate (\$4.00 for clerical personnel, \$7.00 for professional personnel, \$10.25 for managerial personnel) of the searcher. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

We have 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.

Your request has been assigned reference number **2020-ICFO-32371**. 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 2020-ICFO-32371 tracking number. If you need any further assistance or would like to discuss any aspect of your request, please contact the FOIA office. You may send an e-mail to ice-foia@ice.dhs.gov, call toll 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.

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

Amy Barsky

From: Amy Barsky
Sent: Wednesday, April 1, 2020 4:53 PM
To: ICE-FOIA
Subject: RE: Form submission from: FOIA Request Form
Attachments: ICE release 2019.pdf; 2020.03.18 sworn statement.pdf

Hi,

Can I please speak to someone on the phone about this? I am not his attorney in an immigration matter, I am his attorney in a subsequent federal matter. I should not need to enter a G-28. I have submitted a release of information, as well as a sworn statement (both attached). Please call me. 510-541-1852.

Thanks very much,
Amy

From: ICE-FOIA <ICE-FOIA@ice.dhs.gov>
Sent: Wednesday, April 1, 2020 4:20 PM
To: Amy Barsky <abarsky@fickmarx.com>
Subject: RE: Form submission from: FOIA Request Form

Dear Requestor,

Please complete the attached Forms to enable the ICE Freedom of Information Act (FOIA) Office to respond to your request for information.

Did you know... that some records (such as entry/exit records, apprehensions at the border or point of entry, and travel records) to include [I-94 records](#), are only available from [Customs and Border Protection](#) (CBP)? – please contact them directly (see [CBP FOIA](#) and/or [I-94 records](#)); for [A-file](#) (Alien file) requests, or records regarding applications/petitions for relief, [benefits](#), [Asylees](#), [credible fear](#) and removal orders (these records reside in the A-file) please contact [USCIS](#): go to [USCIS FOIA](#) for more information. For visa records, go to [US DOS](#) and [Travel.State.Gov](#) for assistance. For information regarding immigration court proceedings, contact the local [Office of Chief Counsel](#) (OCC).

Thank you,

ICE FOIA Office
Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009

From: FOIA Request Form <ice-foia@ice.dhs.gov>
Sent: Tuesday, March 10, 2020 4:04 PM
To: ICE-FOIA <ICE-FOIA@ice.dhs.gov>
Subject: Form submission from: FOIA Request Form

This email message contains user responses to your form in two formats. The first section is presented in a layout that is easy to read where the user's response to each question is displayed on the next line. In Section 2, MS Excel Friendly Format, you can export the table rows by "copy and paste" into an MS Excel spreadsheet where you can aggregate, sort and search your user's responses.

Submitted on: Tuesday, March 10, 2020 - 16:03

IP Address: 23.62.238.203

Section 1 - Easy-to-Read Format

Contact Information

Name (First, MI, Last): amy barsky

Address: 24 federal st 4th fl

City: boston

State: Massachusetts

Zipcode: 02110

Daytime Phone Number: 857-321-8360

Fax Number:

Email: abarsky@fickmarx.com

Describe the type(s) of document(s) you are requesting

Enter company name, address, and any other information relevant to the request:

Records of any and all exchanges or communications with any officials of any government concerning the potential removal of CRISTIAN AGUASVIVAS, CRISTIAN STARLING AGUASVIVAS, CRISTIAN ESTARLIN AGUASVIVAS, CRISTIAN ESTARLING AGUASVIVAS, or any variation of that name with the first name spelled "CHRISTIAN" from the United States or related records.

Select a suitable description of yourself and the purpose of the request: A. An individual seeking information for personal use and not for commercial use. If the subject matter of your request is yourself, ICE staff may contact you to verify your identity.

Enter educational or scientific institution name:

Enter company/firm name:

Enter media company name:

Enter the maximum amount that you are willing to pay: Up to \$100

Section 2 - MS Excel Friendly Format

You can copy and paste the table rows below into an Excel Spreadsheet. Feel free to omit the first row if the columns exist in your spreadsheet already. Don't forget: the column headings map to the parenthetical statement at the end of each question in section 1.

Name (First, MI, Last):	Address:	City:	State:	Zipcode:	Daytime Phone Number:	Fax Number:	Email:	Enter com name, address, any oth informati relevant to request
amy barsky	24 federal st 4th fl	boston	Massachusetts	02110	857-321- 8360		abarsky@fickmarx.com	Records of and all exchanges communica with any officials of a government concerning potential removal of CRISTIAN AGUASVIV CRISTIAN STARLING AGUASVIV CRISTIAN ESTARLIN AGUASVIV CRISTIAN ESTARLIN AGUASVIV or any varia of that nam with the firs name spell "CHRISTIA from the Un States or related rec