



U.S. Immigration  
and Customs  
Enforcement

April 5, 2012

Rec'd 4-12/12 phx

DR. SUSAN B. LONG  
TRANSACTIONAL RECORDS ACCESS CLEARINGHOUSE  
SYRACUSE UNIVERSITY  
360 NEWHOUSE II  
SYRACUSE, NY 13244

**RE: ICE FOIA Case Number 2011FOIA7607**

Dear Dr. Long:

This letter is in response to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated April 25, 2011. You have requested anonymous alien-by-alien data contained in ENFORCE for individuals who have been charged since 2001, as well as individuals whose Immigration Court cases were pending as of October 1, 2001. A copy of your FOIA request is enclosed.

Your request has been processed under the FOIA, 5 U.S.C. § 552. The ICE Office of Enforcement and Removal Operations has informed the ICE FOIA Office that there is a field in ENFORCE that allows field users to identify the date a charging document was served; however, that field is not a mandatory field. Because this field is essential to identify the complete universe of records you seek, but is non-mandatory and thus not reliably filled-out, ICE ERO cannot reliably identify the records you seek within ENFORCE. Additionally, as you noted in your request letter, even if ERO could reliably identify all individuals against whom charging documents were filed in Immigration Court, items 31-80 of your request seek EOIR data that does not integrate into IIDS. As such, ERO would be unable to produce any report that contained that data even if it were able to reliably identify the universe of records you seek.

You have the right to appeal ICE's determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter to: U.S. Immigration Customs Enforcement, Office of Principal Legal Advisor, U.S. Department of Homeland Security, Freedom of Information Office, 500 12<sup>th</sup> Street, S.W., Stop 5009 Washington, D.C. 20536-5009, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

If you need to contact our office about this matter, please refer to FOIA case number **2011FOIA7607**. This office can be reached at (202) 732-0600 or (866) 633-1182.

Sincerely,

 FOR

Catrina M. Pavlik-Keenan  
FOIA Officer

Enclosure: Your April 25, 2011 FOIA Request