April 5, 2012

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 12th 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.

www.ice.gov
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,

[Signature]

Catrina M. Pavlik-Keenan
FOIA Officer

Enclosure: Your April 25, 2011 FOIA Request