



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

June 8, 2023

By ECF

The Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *International Refugee Assistance Project, Inc. v. United States Citizenship and Immigration Services, et al.*, No. 23 Civ. 1236 (KHP)

Dear Judge Parker:

This Office represents Defendants United States Citizenship and Immigration Services (“USCIS”) and the Department of State (“State,” and together with USCIS, the “Government”) in the above-referenced Freedom of Information Act (“FOIA”) action. We write jointly with Plaintiff International Refugee Assistance Project, Inc. (“IRAP”) in response to the Court’s order to file a joint status report on the eighth day of each month.

As discussed at the initial pretrial conference held on May 8, 2023, this matter concerns FOIA requests IRAP submitted to State and USCIS. The USCIS request seeks records for case management software systems used or accessed by USCIS to process a refugee for resettlement to the United States through the U.S. Refugee Admissions Program. The State request seeks the same records with respect to State (“Part One” of the State request), as well as anonymized data from individual refugee cases (“Part Two” of the State request).

Searches for records responsive to the USCIS request and Part One of the State request are now complete. USCIS has identified 1,086 pages of responsive records and clarified that RAD Global, Enterprise Collaboration Network (“ECN”), Case and Activity Management for International Operations (“CAMINO”), and Tableau are the software systems for which it searched for records and the only systems it uses for refugee case management and reporting. State has identified approximately 5,800 pages of potentially responsive records¹ and has not yet clarified the responsive software systems for which it searched for records. IRAP is also awaiting information from State about the potentially responsive records that make up the bulk of these records.

The parties agree that USCIS will make a good faith effort to process an average of 500 pages per month. State has proposed making a good faith effort to process an average of 450 pages per six weeks, and IRAP is awaiting the aforementioned information from State about records it

¹ This page count does not include the approximately seven Excel spreadsheets that have been identified as potentially responsive.

has identified as potentially responsive so it can evaluate this proposal. The parties are still discussing whether the agencies' rates will include external consultations. The parties will continue these discussions and update the Court in their next joint status report.

State has not yet queried its databases for records responsive to Part 2 of the State request. State has expressed to IRAP its position that nearly all of the data fields requested by IRAP may be exempt from disclosure under the FOIA. The parties are conferring regarding the possibility of State providing aggregate data not subject to the same exemptions in lieu of anonymized data from individual refugee cases. IRAP has expressed its concern to State that aggregate data may not be an adequate substitute for the data requested in Part 2 of the State request. IRAP has also requested to meet with State's staff that work on the relevant databases to gain a better understanding of the databases' functionality and data so that the parties' discussions about alternatives to the requested data may be more productive. If the parties are unable to reach a resolution with respect to the processing of Part 2 of the State request, they will promptly alert the Court.

The parties thank the Court for its consideration of this joint status report and will file their next report by July 10, 2023.

Respectfully,

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