



U.S. Citizenship
and Immigration
Services

November 6, 2020

COW2019501121

Michelle N. Mendez
Catholic Legal Immigration Network, Inc.
8757 Georgia Ave
Suite 850
Silver Spring, MD 20910

Dear Michelle Mendez:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on August 12, 2019, regarding records related to Temporary Protected Status from January 20, 2017, through the date of your request, August 12, 2019. You specifically requested the following:

- a) Records containing both "Temporary Protected Status," "TPS," "Deferred Enforced Departure," or "DED"; and "America First";
- b) Records related to requests received by or originating from USCIS regarding criminal conduct, including arrests, convictions, or incarceration, for individuals from countries who currently hold or held TPS, including copies of those requests and subsequent responses;
- c) Records that made up the factual record, recommendations, and all materials considered related to USCIS's recommendation regarding whether to re-designate TPS for South Sudan, Syria, Yemen, Somalia in regards to DHS's most recent extension for each country;
- d) Records related to USCIS's recommendation regarding whether to designate Guatemala for TPS in light of the recent volcanic eruption;
- e) Records related to USCIS's recommendation regarding whether to designate Venezuela for TPS in light of the recent and ongoing civil unrest and humanitarian crisis;
- f) The number of TPS holders who applied for TPS during every re-registration period for each country since January 20, 2017;
- g) The number and percentage of approvals for every re-registration period for each country since January 20, 2017;
- h) The actual number (not percentage) of denials for every re-registration period for each country since January 20, 2017;
- i) Records related to the impact or relation between termination of TPS for all countries and consequences on U.S. citizen children of those TPS holders;
- j) Records related to communication from the Domestic Policy Council regarding the decision to terminate, extend, and/or redesignate TPS for all countries;
- k) Records related to communication from the National Security Council regarding the decision to terminate, extend, and/or redesignate TPS for all countries;
- l) The number of Notices of Evidence of Continued Work Authorization that USCIS mailed to all individuals with TPS, broken down by country;
- m) Information regarding whether USCIS issued a second round of Notices of Evidence of Continued Work Authorization for individuals from these countries once the initial notices expired. If so, the number of notices mailed, broken down by country;

- n) Records related to USCIS's decision to employ Notices of Evidence of Continued Work Authorization instead of a Federal Register Notice;
- o) Records containing the number of Tentative Nonconfirmations (TNCs) for TPS and DED holders, broken down by month and country;
- p) Records related to USCIS's rejection of requests for employment authorization documents on behalf of Liberian DED holders, including improper rejections on the grounds that Liberia did not have a current grant of DED;
- q) Records containing both "Temporary Protected Status," "TPS," "Deferred Enforced Departure," or "DED"; and "Federation for American Immigration Reform," "FAIR," "Center for Immigration Studies," "Immigration Reform Law Institute," or "IRLI".

This is the first rolling release of documents being produced. We have completed the review of 246 pages of documents and have identified 223 pages that are responsive to your request. We have determined that 23 pages are outside the scope of your request. Enclosed are 9 pages released in their entirety and 214 pages released in part. We have also completed the review of 14 spreadsheets and have identified 14 spreadsheets that are responsive to your request. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552 (b)(5) and (b)(6).

Exemption (b)(5) provides protection for inter-agency or intra-agency memoranda or letters, which would not be available by law to a party other than an agency in litigation with the agency. The types of documents and/or information we have withheld under this exemption may consist of documents containing pre-decisional information, documents or other memoranda prepared in contemplation of litigation, or confidential communications between attorney and client.

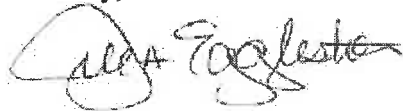
Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

There may be documents that contain discretionary releases of exempt information. If made, these releases are specifically identified in the responsive record. These discretionary releases do not waive our ability to invoke applicable FOIA exemptions for similar or related information in the future.

The enclosed record consists of the best reproducible copies available. Certain pages may contain marks that appear to be blacked-out information. If so, the black marks were made prior to our receipt of the file and are not information we have withheld under the provisions of the FOIA or PA.

I note that this matter is in litigation. If you have any questions on any of the matters involved in this litigation, please contact Assistant U.S. Attorney Kimberly Phillips by e-mail at kimberly.phillips@usdoj.gov

Sincerely,



Jill A. Eggleston
Director, FOIA Operations