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Description of document: Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) Freedom of Information Act (FOIA) Standard Operating Procedures (SOP) 2021-2022

Requested date: 23-May-2022

Release date: 15-November-2022

Posted date: 11-March-2024

Source of document: FOIA Request
Office of the General Counsel
Attn: FOIA Service Center
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 2150
Falls Church, VA 22041
[EOIR FOIA Public Access Link \(PAL\)](#)

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U.S. Department of Justice
Executive Office for Immigration Review
Office of the General Counsel

5107 Leesburg Pike, Suite 2150
Falls Church, Virginia 22041

11/15/2022

Re: 2022-54730
Freedom of Information Act Request for

This correspondence is an interim response to your Freedom of Information Act (FOIA) request dated 05/23/2022 to the Executive Office for Immigration Review (EOIR) in which you seek FOIA Standard Operating Procedures.

A search was conducted and one or more records responsive to your request were located. We are granting partial access to the responsive record(s). Additional documents will be provided as they become available.

Portions of the enclosed records have been redacted in accordance with FOIA Exemption 6, 5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties.

Additionally, portions of the enclosed records have been redacted in accordance with FOIA Exemption 7E, 5 U.S.C. § 552(b)(7)(E), which concerns records or information compiled for law enforcement purposes the release of which would disclose techniques and procedures for law enforcement investigations or prosecutions. FOIA Exemption 7E extends protection of information related to agency technology systems. See *Levinthal v. FEC*, 219 F.Supp.3d 1, 9 (D.D.C. 2016).

Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. See <http://www.justice.gov/oip/foiapost/2012foiapost9.html>. You may contact the EOIR FOIA Public Liaison by e-mail at EOIR.FOIARequests@USDJOJ.GOV or by telephone number (703) 605-1297 for any further assistance and to discuss any aspect of your request. Please reference the FOIA control number. Additionally, you may contact the Office of

Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

If you are not satisfied with the Executive Office for Immigration Review's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response to your request. If you submit your appeal by mail, both the correspondence and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

Joseph Schaaf
Supervisory Attorney Advisor (FOIA)

- Appeal packages are to be routed electronically by e-mail
 - The Subject line of the e-mail will be “A-21-XXXXXX \ 2021-XXXXXX”
- An Adobe routing slip fillable form is available in the K drive at ogc2004 \eoir-file-ood \ FOIA APPEAL MEMOS (CS). Use this form when routing appeals
- Use Adobe Optimize to reduce the file size of the appeal package
- All scanned screenshots will be scanned in black/white not color
- The (1) routing slip and (2) appeal package to OIP should be attached **separately** to the e-mail
- The routing slip and the appeal package to OIP should maintain the naming system of OIP appeals and EOIR requests so that they are easily tracked:
 - For **new** appeals:
 - The routing slip will be named “A-20-XXXXXX (2020-XXXXXX)-Appeal Slip” or “A-21-XXXXXX (2021-XXXXXX)-Appeal Slip”
 - The appeal package will be named “A-20-XXXXXX (2020-XXXXXX)-EOIR-OIP Response” or “A-21-XXXXXX (2021-XXXXXX)-EOIR-OIP Response”
 - For **old** appeals:
 - The routing slip will be named “DOJ-AP-20-XXXXXX (2020-XXXXXX)-Appeal Slip”
 - The appeal package will be named “DOJ-AP-20-XXXXXX (2020-XXXXXX)-EOIR-OIP Response”
 - **NOTE**: Do not use OIP’s former naming system “DOJ-AP-20XX-XXXXXX” for **new** appeals as this causes confusion. If I see that naming system, that signals to me that it is an **old** appeal and requires immediate turn-around, so please follow the naming convention above

Key Terms:

- **Lead:** First person of a group. Often contains all the information regarding a case when FOIAed
- **Rider:** associated with a lead. Often does not contain full file detailing incident and decisions
- **A# / Non-citizen #:** A number given to a person when picked up by DHS for tracking purposes
- **FX:** FoiaXpress
- **FSC:** FOIA Service Center
- **BB:** Blowback | ROP has already been scanned and digitalized. Record should be on V drive or retained off-site in archive.
- **Terms on Case:**
 - **Incomplete:** Open case – Has a court proceeding in the future
 - **FTP:** Failure to prosecute – Results in no ROP being available to order
 - **NTA:** Notice to appear
 - **Dep:** Departure | NC was removed
 - **RMV:** removal
 - **WHO:** Withholding

URL Link's:

(Hyper linked in URL name and address)

(b) (7)(E)



Quick Prep in FOIAXpress

1. Enter FOIA# into FX.
2. Examine A# to verify FOIA request matches A# in request.
 - a. If A# does not match, preform a search on both databases to pull the correct FOIA#.
 - i. Courts sometimes notate the wrong FOIA# on the cover sheets. If so, correct it on the sheet.
3. If the **FX Request Information** is marked as **ROP/Audio**, do the following:
 - a. **"DAR"** should be noted in the **"Comments"** field and the request should have been assigned to (b) (6) during intake so he could export the DAR to FX while the ROP was being ordered. If this did **not** happen, go to **"Assign Users"** and add **Baltazar Nevarez** as a secondary user with the note **"Export DAR to FX."**
 - b. If there is **no DAR in CASE**, a **cassette** may be included with the ROP, in which case, keep it with the ROP. Sometimes audio exists on a cassette under another A-number, which should be indicated on the left-hand side of the ROP. If so, inform the Production Control Clerk so the other cassette can be ordered by going to **"Assign Users"** and adding (b) (6) as a secondary user. Additionally, insert a comment – **"Cassette in ROP"** or **"Cassette under 111-111-111."**
4. Verify if there are **multiple proceedings** in the comments.

March 2022

Last updated March 2022

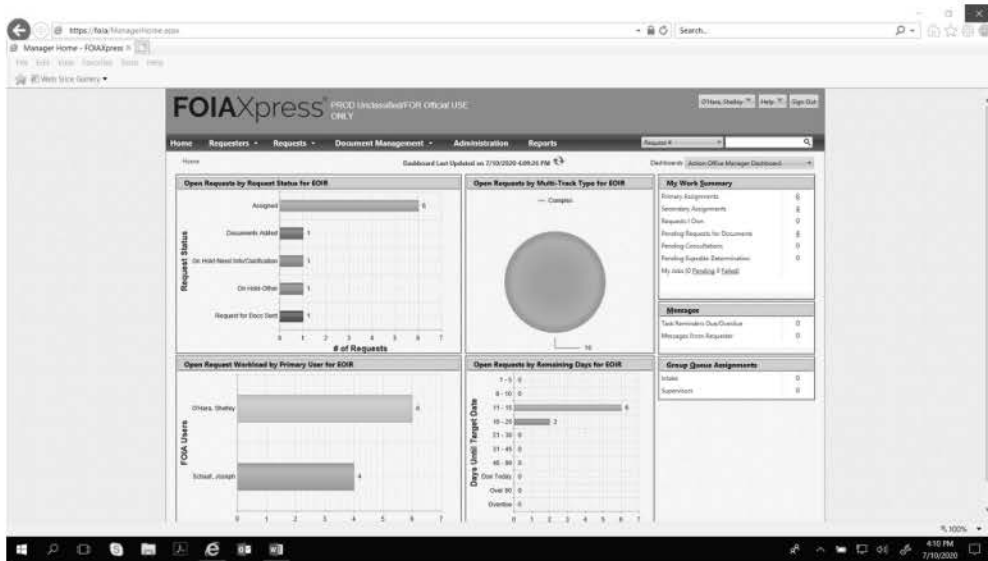
- a. If the request was created **before May 2, 2022**, use the multiple proceedings steps below. If the request was created **on or after May 2, 2022**, the multiple proceedings steps below **do not apply** as each proceeding will be split into its own FOIA request and **treated individually**.
 - b. If only **one proceeding**, mark ROP received date with current date.
 - c. If **multiple proceedings**, open CASE and enter A# into search. Also, run a search on **Barcode search (File Trail)** to verify that a complete ROP was delivered to FSC.
 - i. Verify missing ROP isn't already on site by examining **File Trail**.
 1. If the ROP doesn't have a barcode, check **CASE info** for the missing ROP and see if FRC information is located there. It would be at the bottom of the page. Update the NTA to the missing ROP's charging doc. date. NOTE: the scan location on FX will remain blank as the ROP hasn't been barcoded yet.
 - ii. If ROP is at another court, change NTA date to that of missing ROP and add a comment (e.g., LOS; BAL; NYC – ROP received, waiting for Boston).
 1. This will populate on the court request spreadsheet when it updates so the court will be made aware about it.
5. Checking next hearing date and location:
- a. If the date has passed and is recent (within the last 3 years), verify there is not a new scheduled hearing.
 - i. Search the ROP on CASE. If the IJ completion is not complete, go to schedule. Then, look at the most recent hearing notice and note it on the cover sheet.
 - b. If the case is closed, only mark the cover sheet with base city.
6. In **record duplication** section, mark **Date Sent** as the following day if this is the **last** or **only** ROP that needs to go off-site.
7. In the event only part of the ROP is going off-site, note in the comments which part is going off-site or if a lead/rider or additional proceeding is missing when sent off-site.
8. Save request and confirm it's been updated with the new information after the page reloads.

What happens after the ROP is sent off-site?

1. It will take about a week to process.
2. The PDF will be sent back on CD along with the original ROP (separate boxes).
3. If delivery mode is "Mail," the CD goes to Crystal, and she will close the request and give the completed package to Trina, who mails it off. Trina will also upload a copy to the V drive as a backup.
4. If delivery mode is "Electronic Delivery," Trina uploads the CD to the V drive. (This will change when JEFS allows off-site to upload directly to V drive.)
5. At this point, the Delivery SOP takes effect.

To create a new request in FOIAXpress, follow these steps:

1. Open FOIAXpress <https://foia/ManagerHome.aspx>. From the horizontal toolbar, click Requests \ Create Request.



2. In Requester Details \ Requester, click the horizontal ellipse button (Search Requesters) adjacent the Requester field. It will take you to Search Requesters and Create Requesters.
 - a. Always begin by searching for a requester profile within Search Requesters by entering any requester information from the incoming request into the Search Criteria fields. If you locate an existing requester profile, select that profile and continue. If you do not locate an existing requester profile, toggle to Create Requester and create a new requester profile from the information provided in the incoming request.

The screenshot shows the 'Search Requesters' and 'Create Requesters' form. The form is divided into two main sections: 'Search Criteria' and 'Create Requester'. The 'Search Criteria' section includes fields for First Name, Last Name, Email Address, City, Country, State, and ZIP. The 'Create Requester' section includes fields for First Name, Last Name, Email Address, City, Country, State, and ZIP. There are also checkboxes for 'Delinquent' and 'FBI Requester'. The form is titled 'Search Requesters' and 'Create Requesters'.

3. In the Requester Details \ Category, use the following guidelines to select the category:
 - a. If the requester is a law firm (i.e., LLC, PA, PC, PLLC, & Associates), select **Commercial Organization**
 - b. If the requester is from a university and/or has an e-mail address ending in “.edu”, select **Educational or Non-Commercial Scientific**
 - c. If the requester is from an easily-identifiable news organization, i.e., New York Times, Wall Street Journal, select **News Media**
 - d. If the requester is a non-profit organization and/or has an e-mail address ending in “.org”, private individual, or submits his/her request through MuckRock News, select **Other**
4. In the Request Details
 - a. For Request Type, always select FOIA/PA
 - b. For Received Mode, select E-mail, Fax, or Mail, as appropriate. If it arrives by Fax or Mail and is scanned by the FOIA Service Center, then select “Fax” or “Mail”, as appropriate, but do not select “E-mail”
 - c. For Multi-Track Type always select Complex for “topics”, i.e., non-ROP requests
 - d. For Requested Date, select the date on the request
 - e. **For the Received Date, (1) if received by e-mail, input the email date on the request or (2) if received by U.S. Mail, input the date-stamp from the Mailroom. Do NOT input the date it is entered in the system for Received Date. FOIAXpress will default to the date you are entering the request – you must change that date manually by examining the request**
5. In Description, enter the word “Topic” only
6. In the Drag and Drop Zone – Incoming Request Letters, select Attach and then upload the new request
7. In the Subject Matter of Request, enter Other.
8. In Expedite Requested and Fee Waiver Requester, select the appropriate box from the request
9. Click Save.

The screenshot shows the FOIAXpress web application interface. The browser address bar displays "https://faiexpress.foia.gov/foiaexpress". The page title is "FOIAXpress - PROUDLY UNCLASSIFIED FOR OFFICIAL USE ONLY". The navigation menu includes Home, Requesters, Requests, Document Management, Administration, and Reports. The main content area is titled "Create Request" and contains several sections:

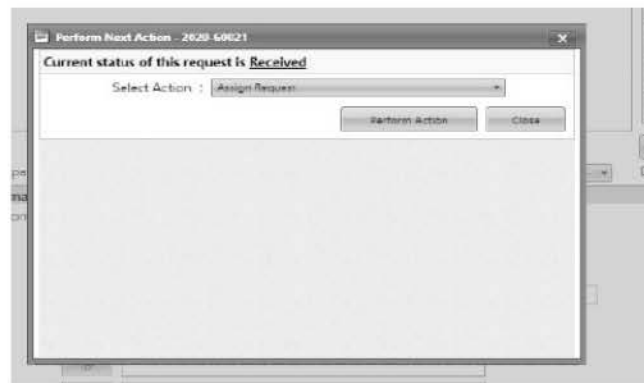
- Requester Details:** Fields for Requester Name, Category, and Organization.
- Address Details:** Fields for Address, City, State, and Zip.
- Request Details:** Fields for Request Type (dropdown), Received Mode (dropdown), Multi-Track Type (dropdown), Requested Date (calendar), Received Date (calendar), Primary Request (checkbox), High Profile (checkbox), Delivery Mode (dropdown), and Method of Payment (dropdown).
- Description:** A text area for the request description, with a "Date Range for Recent Search" field below it.
- Drag and Drop Zone:** A section for uploading request letters, with a "Drop and Drop Zone" label and a "Drop Here" button.

 A large black arrow points from the left margin towards the "Received Date" field in the Request Details section, corresponding to instruction 4e.

10. You will see the below. Select No.

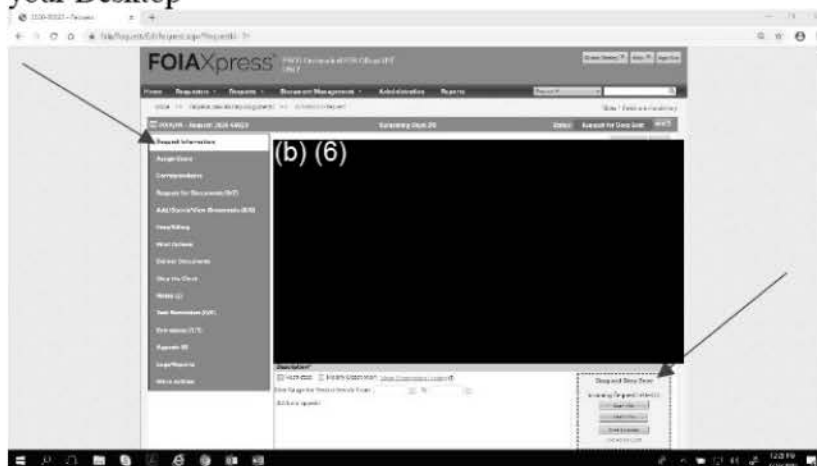


11. You will see the below. Select Perform Action and assign the request to Joseph Schaaf as primary user

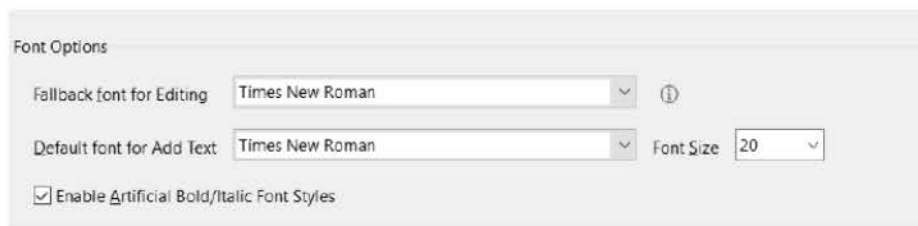


12. Navigate back to the Request Information screen

13. From the Drag and Drop Zone, download the newly-attached request in native form to your Desktop



14. If required, e.g., the request is a .msg file, convert the downloaded request to a .pdf file and re-name it with the assigned unique FOIA control number, i.e., 2021-00001 Request Description, 2021-00002 Request Description, etc.
15. If not required, e.g., the request is a .pdf file, re-name it with the assigned unique FOIA control number, i.e., 2021-00001 Request Description, 2021-00002 Request Description, etc.
16. Open the new request .pdf file and “stamp” the new request with the unique FOIA control number
 - a. To change the default font properties in Adobe Acrobat:
 - i. Go to Edit > Preferences > Content Editing > Font Options
 - ii. Select Times New Roman in both drop-down lists and Font Size 20 in the
 - iii. Click OK.



- b. Open Tools, select Edit PDF, select Add Text and type in the unique FOIA control number, i.e., 2021-00001, 2021-00002, etc.
 - c. Save the "stamped" request and upload the stamped request
17. Navigate to Correspondence:
 - a. Select the radio button for User Action Office Email or User Email in From Email Type
 - b. From the drop-down list in Template, select Letter-Ack-Complex
 - c. From the Correspondence Log, select the stamped PDF request, i.e., 2021-00001 Request Description
 - d. In the body of the E-mail, you may change your name to “FOIA Intake”
18. Select Send Email
19. In the top right-hand corner, select the green button

Next >



20. If required, navigate to the Request Information screen and click Extensions

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Home Requesters Requests Document Management Administration Reports

Home >> Requests View [Primary Assignments] >> 2020-60023 - Request

FOIA/PA - Request: 2020-60023 Remaining Days: 26 Status: Request for Docs Sent

Request Information

- Assign Users
- Correspondence
- Request for Documents (0/2)
- Add/Search/View Documents (0/0)
- Fees/Billing
- Final Actions
- Deliver Documents
- Stop the Clock
- Notes (2)
- Task Reminders (0/0)
- Extensions (1/1)**
- Appeals (0)
- Logs/Reports
- More Actions

(b) (6)

Description*

☐ Restricted ☐ Modify Description [Show Description History \(1\)](#)

Date Range for Record Search: From To

BIA bond appeals

Drag and Drop Zone

Incoming Request Letter(s):

[Scan File](#)

[Attach File](#)

[Print Barcode](#)

2020-60023.pdf

21. Click New In Reason for Extensions, select Record Search, leave the Extended Target Date to the default 10 days, and click Save

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Home Requesters Requests Document Management Administration Reports

Home >> Requests View [Primary Assignments] >> 2020-60023 - Request

FOIA/PA - Request: 2020-60023 Remaining Days: 26 Status: Request for Docs Sent

Request Information

- Assign Users
- Correspondence
- Request for Documents (0/2)
- Add/Search/View Documents (0/0)
- Fees/Billing
- Final Actions
- Deliver Documents
- Stop the Clock
- Notes (2)
- Task Reminders (0/0)
- Extensions (1/1)**
- Appeals (0)
- Logs/Reports
- More Actions

Extensions

ID	Reason	Days	New Target Date	Approval/Denial Date	Completed Date	Status
1	Record Search	10	06/11/2020	6/11/2020	6/11/2020	Completed/Approved

Page size: 50

[New](#) [Refresh](#) [View](#) [Delete](#) [Send Email to Supervisor](#) [Approval/Cancel](#) [Complete](#)

* Correspondence insert fields will populate with the last 'Approved' extension details.

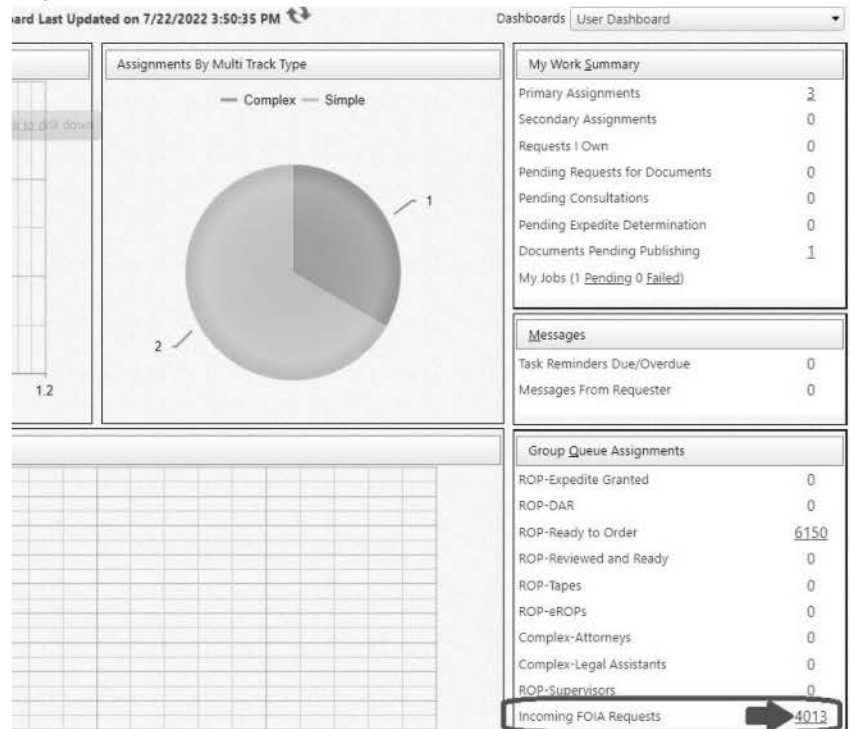
* If configuration is set to require 'Approval' of extensions the 'Extension Approval' privilege is required.

STEP 1: STARTING REQUEST RECEIVED THROUGH PAL

Open FOIAXpress (FX) at <https://FOIA/>

Find New Requests Submitted through PAL

1. From your dashboard, go to **Group Queue Assignments** and click the number next to **Incoming FOIA Requests**.



2. When the list appears, click on the request with the oldest **Received Date**.
3. When you click the **Request Number**, the box below will appear. Click **Review Later** or close with the **X**.

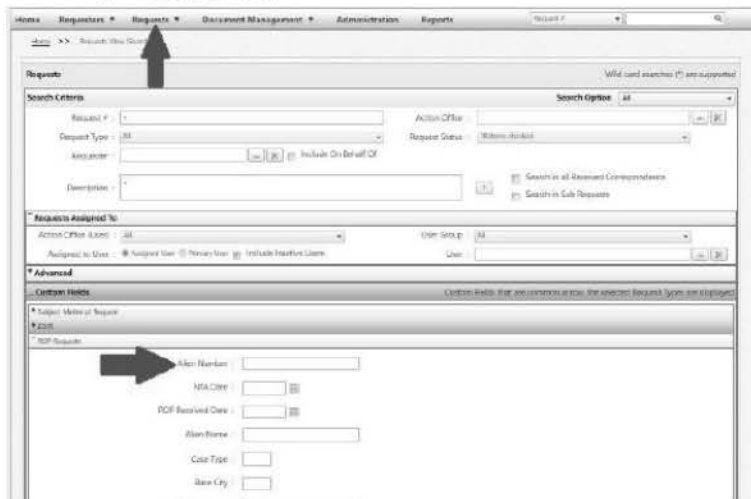


Check for duplicate request(s)

1. Find **A#** under **ROP Requests**, If no A# was provided in the fields, review the attached files in the **Drag and Drop Zone** for an A#.
2. Right-click on the browser tab and select **"Duplicate tab"** so you can keep your current request open while searching for a duplicate in another tab.



3. Go to **Requests** → **Search Requests**.
 - a. Expand **Custom Fields** → **ROP Requests**.
 - b. Paste the A# into its respective field.
 - c. Click **Search**.



4. Scroll to the bottom of the page and review the results (any FOIA request containing the A#).
 - a. If the only request is the request that you originally started working on, there is **no duplicate**. Select the request and continue working on it. → **Proceed to Step 2: Review/Enter Request.**
 - b. If there is a **previous request** with the same A# from a **different** requester (ex., **different** law office), do **not** close either as duplicate.
 - i. In **Comments**, type “**2nd FOIA # xxxx-xxxxx**” for each request so the requests refer back to each other.
 - ii. **Proceed to Step 2: Review/Enter Request.**
 - c. If there is a **previous request** with the **same A#** from the **same requester** (ex., same law office), the ROP was already delivered, and the **ROP has not changed** since the last delivery:
 - i. In **Comments**, type “**Duplicate – Redelivery**”
 - ii. Go to **Step 3: Assign Users**
 1. Change **Primary User** to “**Queue, SIMPLE**”
 2. Add “**Queue, GIS-Review**”
 - iii. Go to **Step 4: Correspondence – send “INTAKE-Letter-SIMPLE-Ack”** and **STOP.**
 - d. If there is a **previous request** with the **same A#** from the **same requester** (ex., same law office) that is **still open** and has been **assigned**, the newest request is a **duplicate**.
 - i. Under the **most recent** request:
 1. Complete the **Link Request(s)** field by clicking **Manage Linked Requests** and **searching** for the duplicate request’s FOIA Request #. This will create a link on both the original and the new request.
 2. In **Comments**, type “**Duplicate of [FOIA #]**” (ex., “Duplicate of 2022-12345”).
 - ii. If the new (duplicate) request contains an **expedite request**, go to **Step 3: Assign Users**:
 1. Change **Primary User** to “**Queue, SIMPLE**” and remove “**Queue, Incoming FOIA Requests**”
 2. Add “**Queue, Complex-Legal Assistants**” and **STOP.**
 - iii. If the new (duplicate) request does **not** contain an **expedite request**, proceed through the following steps:
 1. **Step 3: Assign Users** – Change Primary User to “**Queue, SIMPLE**” and remove “**Queue, Incoming FOIA Requests**”
 2. **Step 4: Correspondence** - Send **INTAKE-Response-SIMPLE-Other-Duplicate-Closing Request** letter from the new (duplicate) request.
 3. **Step 5: Final Actions** - Close the new (duplicate) request with **D(8)**.

STEP 2: REVIEW/ENTER REQUEST

WHO SUBMITTED THE REQUEST?

Requester Details

1. Change the **category** as needed:

Requester Type	Category & Steps (if applicable)
Individual or law firm (i.e., LLC, PA, PC, PLLC, & Associates)	Other
Non-profit organization and/or has an e-mail address with .org , <i>MuckRock News</i>	Other
Federal government agency or a state bar	Other Go to Step 3: Assign Users : 1. Change Primary User to "Queue, SIMPLE" and remove "Queue, Incoming FOIA Requests" 2. Add "Queue, GIS-Review" and STOP .
Detained individual who has mailed in their request	Detainee
University affiliate and/or e-mail with ".edu"	Educational or Non-Commercial Scientific
News organization (easily-identifiable - <i>New York Times, Wall Street Journal</i>)	News Media

2. At **"On Behalf Of,"** if the requester is submitting the request for another individual who is authorized to receive the items requested, click the radio button to search for or enter the authorized individual's details.

- Note:** This can apply in reverse when there are **multiple requesters** from the **same address** and only **one person from that address has an email** address on the account.
- Ex.:** (b) (6), LLP has four requesters at the same address, but only (b) (6) has an email address on his account. Therefore, when one of the other three requesters from that law office (who do not have emails on their accounts) submits a request, they should have their requester information replaced with (b) (6) (the requester who holds the email address) and the original requester (without an email) should go in the "on behalf of" field.

WHAT IS BEING REQUESTED?

Request Details

1. **Request Type** = FOIA/PA – do not change
2. **Received Mode**
 - a. For requests received through **PAL**, this will be “**PAL**” or “**National FOIA Portal**,” who send in requests through PAL.
 - b. For requests received by **email or mail** select as appropriate (never select email for requests received by mail or fax).
3. **Multi-Track Type**
 - a. **Simple** - ROP requests
 - b. **Complex** - Complex request (see Step 3: Assign Users)
 - c. **Expedite** – **DO NOT USE** (will be selected if an attorney/legal assistant grants expedite request)
4. **High Profile** = No
5. **Delivery mode** - do not change
6. **Requested Date and Received Date**
 - a. **PAL** - do not change
 - b. **Email/Mail** - FOIAX will default to the date you are entering the request—you must change the date manually by examining the request:
 - i. **Email request** - select the date of the email.
 - ii. **Mail request** - select the date stamped on the mail request.

Description

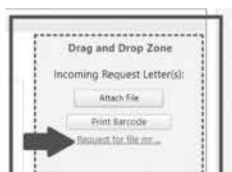
1. **PAL Requests** - do not change
2. **Email/Mail** – type a short summary from the request materials (ex., “ROP” or “ROP/Audio”)
3. **Not Custodian** - If the description indicates that the request is for items for which EOIR is **not the custodian** (ex., DHS or ICE records), go to **Step 3: Assign Users**:
 - a. Change Primary User to “**Queue, SIMPLE**” and remove “**Queue, Incoming FOIA Requests**”
 - b. Add “**Queue, Complex-Legal Assistants**” and **STOP**.
4. **Lead & Rider(s)** - If the request indicates that a **lead and rider(s)** are being requested, see **Lead & Rider** section below.
5. **Deceased Individual** - If the request is for a **ROP of a deceased individual**:
 - a. Under **Multi-Track Type**, select **COMPLEX**.
 - b. Enter **Comment “Deceased Individual”**
 - c. Go to **Step 3: Assign Users**: Change Primary User to “**Queue, Complex-Legal Assistants**,” remove “**Queue, Incoming FOIA Requests**,” and **STOP**.

6. **Special Processing** (ROPS from **1988 and prior**)
 - a. Search **CASE** for the **A#** (conduct an advanced search for the name, if necessary).
 - b. If no record in CASE, enter **Comment "Special Processing"**
 - c. Go to **Step 3: Assign Users:**
 - i. Change Primary User to **"Queue, Complex-Legal Assistants,"** remove **"Queue, Incoming FOIA Requests"**
 - ii. Add **"Queue, GIS-Review"** and **STOP.**
7. **Complex** - If the request is **not for a ROP/a single document in a ROP** but for other items for which **EOIR is the custodian (ex., data, communications, statistics, etc.)**
 - a. Under **Multi-Track Type**, select **COMPLEX.**
 - b. Go to **Step 3: Assign Users:** Change Primary User to **"Queue, Complex-Legal Assistants,"** remove **"Queue, Incoming FOIA Requests,"** and **STOP.**

Lead & Rider

1. Request is for **lead only**
 - a. Do **not** log in rider(s).
 - b. Log in and assign as normal (follow the rest of the steps below).
 - c. Add comment "lead only"
2. Request is for **rider only**
 - a. Log in the rider's request by following the steps below.
 - b. **Copy** the rider's request, including the correspondence log.
 - c. Change the **A#** and **NTA** to capture the lead's information under a new FOIA # (see multiple proceedings section below for details).
 - d. Add **comment** on each request indicating which is the lead and which is the rider
3. Request is for **lead and rider(s) together**
 - a. Log in the lead's request by following the steps below.
 - b. **Copy** the lead's request, including the correspondence log.
 - c. Change the **A#** and **NTA** to capture the rider's information under a new FOIA # (see multiple proceedings section below for details).
 - d. Add **comment** on each request indicating which is the lead and which is the rider

Drag and Drop Zone



1. **PAL requests** - review the file(s) linked within
2. **Email request** - drag the entire email directly from Outlook and drop in the Drag and Drop Zone
3. **Mail requests** - drag the scanned file from FX Intake folder directly to the Drag and Drop Zone

Subject Matter of Request

1. Select correct **drop-down** item based on your review of the request or **change as necessary**.
 - a. **IJ Decision** = a decision or order was specifically requested
 - b. **Other** = specific document in a ROP, audio only, Complex request (not a ROP - **ex.**, **data**, **communications**, **statistics**, etc.)
 - i. **Other document but not Complex:**
 1. Type the name of the specific document (ex., "Form 42-B"; "Form I-589") in the **Other Details** box.
 2. Add **"Queue, ROP-Order"** (see Step 3: Assign Users)
 - ii. **Audio Only:**
 1. Type "Audio Only" in the **Other Details** box.
 2. Indicate DAR or Tapes (if no DAR in CASE) in the Comments section.
 3. Add **"Queue, ROP-DAR"** or **"Queue, ROP-Tapes"**
 - iii. **Complex:**
 1. Under **Multi-Track Type**, select **COMPLEX**.
 2. Go to **Step 3: Assign Users**: Change Primary User to **"Queue, Complex-Legal Assistants,"** remove **"Queue, Incoming FOIA Requests,"** and **STOP**.
 - c. **ROP** = Record of Proceedings (no audio)
 - d. **ROP/Audio** = Record of Proceedings and audio/digital recordings (see above for audio only)
2. If **Audio requested**, review **CASE** for DAR
 - a. Search using the A-number, then go to **SCHEDULE**.

Document	Exceptional Circumstances	Notice/Order	Audio Recording	eTranscripts
AT HEARING	<input type="checkbox"/>	NOTICE OF HEARING IN REMOVAL PROCEEDING- W/ DATES	<input checked="" type="checkbox"/> 00:10:00	
ETO COMPLETE INFO	<input type="checkbox"/>	NOTICE OF CUSTODY REDETERMINATION HEARING	<input checked="" type="checkbox"/> 00:08:45	

- b. If **DAR** exists, you will see a small speaker symbol next to one or more hearings. If so,
 - i. Add the note **"DAR"** in the **Comments** field.
 - ii. Add **"Queue, ROP-DAR"** (see Step 3: Assign Users)
- c. If **no DAR** exists, add the note **"Possible tapes"** in the **Comments** field.

DOES THE REQUESTER HAVE AUTHORITY?

1. Open CID from one of these places:
 - a. **Proof of Identity/Consent - Drag and Drop Zone**
 - b. **Description – Drag and Drop Zone** (only if CID is not in Proof of Identity/Consent)
 - c. **Correspondence Log** (only if you cannot locate CID elsewhere)
2. **Apply SOP 22-003 Acceptable Certificates of Identity** to determine if requester has authority to receive the requested documents.
3. If **CID** requirements are met:
 - a. Select **Yes** from the **CID drop-down** menu (under **ROP Requests**)
 - b. Select **YES** from the **Proof of Identity/Consent** section and enter the **date** CID was received (typically the same day as the received date of the request)
 - c. Continue below to search for a record.
4. If you are **unsure if CID** requirements can be met:
 - a. Enter **Comment “CID issue”** (add any helpful information)
 - b. **Step 3: Assign Users:**
 - i. Change Primary User to **“Queue, SIMPLE”** and remove **“Queue, Incoming FOIA Requests”**
 - ii. Add **“Queue, Complex-Legal Assistants”** and **STOP**.
5. If CID requirements are **not** met:
 - a. Select **No** from the **CID drop-down** menu (under **ROP Requests**).
 - b. Enter the **date** CID was received or not received (typically the same day as the received date of the request).
 - c. Select **No** from the **Proof of Identity/Consent** section and type the reason in the **Notes** field.

The screenshot shows a web form for FOIA requests. In the 'Proof of Identity/Consent' section, the 'CID' dropdown menu is set to 'No'. Below it, the 'Date Received' field is highlighted with a red circle. The 'Proof of Identity/Consent Notes' field is also highlighted with a red circle. To the right of the notes field is a 'Drag and Drop Zone' with an 'Attach File' button. Other fields like 'ROP Requested From IC/BIA/FRC', 'Record Duplication', 'Date Sent', 'Date Returned', 'Blowback', 'Expedite Requested', and 'Fee Waiver Requested' are also visible.

6. **If there is an expedite request**, mark the **End Date** as today and the **Determination** as **N/A**.
7. Proceed through the following steps:
 - a. **Step 3: Assign Users** – Change Primary User to **“Queue, SIMPLE”** and remove **“Queue, Incoming FOIA Requests”**
 - b. **Step 4: Correspondence**
 - i. Send **INTAKE-Response-SIMPLE-Improper-Closing Request** (this will be for most improper requests)
 - ii. If it is a third-party requester and they are not purporting to have authorization to obtain the records and they are unrelated to the target of request in any way, send **SIMPLE-Response-GLOMAR-Closing Request** instead.
 - c. **Step 5(a): Final Actions** – Close as improper using D(6)
8. **EXCEPTION - Detainees** – if detainee cannot be verified and **no or improper attestation was provided**:
 - a. At **CID drop-down** menu (under **ROP Requests**), select **No**
 - b. Go to **Step 3: Assign Users**
 - i. Change Primary User to **“Queue, SIMPLE”** and remove **“Queue, Incoming FOIA Requests”**
 - ii. Add **“Queue, Complex-Legal Assistants”** and **STOP**.

DOES A RECORD EXIST?

ROP Requests

1. **A# provided** – use it to search **CASE**.
2. **No A# provided/A# provided does not locate any records/different record** in CASE - use advanced search in CASE to search with the name and any other information provided.
 - a. Click **Advanced**.
 - b. Using **Like Search** under **ANSIR Full Name**, search:
 - i. **First Middle Last₁ Last₂** (ex., John Richard Doe Smith)
 - ii. **First Middle** (ex., John Richard)
 - iii. **Last₁ Last₂ together and individually** (ex., Doe Smith; Doe; Smith)
 - iv. **Last₁-Last₂** (ex., Doe-Smith)
 - c. Using both **Like Search** and **Exact Search**, search:
 - i. **Last₁, First** (ex., Doe, John)
 - ii. **Last₂, First** (ex., Smith, John)

The screenshot shows the 'CASE MANAGER' interface with a 'CASE SELECTION' tab. Below the tab are instructions for searching and adding cases. The main section is 'ADVANCED CASE SEARCH CRITERIA' with the following fields and options:

- A-Number: [Text Box] (123-456-789 or 123456789)
- Lead A-Number: [Text Box]
- Charging Document Date: [Text Box]
- ANSIR Full Name: (b) (6) [Text Box]
- (Last | First | Middle) Name: [Text Box] [Text Box] [Text Box]
- Alias: [Text Box]
- Base City: [Dropdown Menu: Please Select One ...]
- Hearing Location: [Dropdown Menu: Please Select One ...]
- Nationality: [Dropdown Menu: Please Select One ...]
- Case Type: [Dropdown Menu: Please Select One ...]

Search options are indicated by radio buttons: 'Like Search' (selected) and 'Exact Search' (unselected) for both the ANSIR Full Name and (Last | First | Middle) Name fields. At the bottom are 'CANCEL' and 'SEARCH' buttons.

- d. When the search results in a list, use **Ctrl + f** to search within the list for other parts of the name (ex., if 500 names appear based on "Doe, John," search within to find "Smith" or "Richard")
- e. Sometimes it is also possible to limit the list to a small number using other fields (ex., **Nationality**) along with the most basic form of the name (ex., Last₁, First) using **"Exact Search"** (ex., Doe, John + Kenya)
- f. **If record found**, match other **details** from the request (ex., country of origin, alias, specific documents requested) to details found in CASE after locating a possible match using the name.
 - i. Type **"Possible match"** in **Comments**.

The screenshot shows a 'Comments' text area with the text 'Possible Match' entered. At the bottom right of the text area are 'Spell Check' and 'Save' buttons.

- g. If **no records found**, proceed through the following steps:
 - i. If **no A# provided**

1. Enter **"0" (zero)** in the **Alien Number** field and the **name** used for the advanced search in the **Alien Name** field.
 2. Enter **Comment "NMI"**
 - ii. If A# provided, enter **Comment "No records"**
 - iii. **If expedite requested**, select the **End Date** as today and the **Determination** as **N/A**.
 - iv. **Step 3: Assign Users** – Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - v. **Step 4: Correspondence:**
 1. **A# provided + name provided** → *INTAKE-Response-Other-No Records-Closing Request*
 2. **A# provided; name not provided** → *INTAKE-Response-Other-No Records-Closing Request*
 3. **No A# provided; name provided** → *INTAKE-Response-Simple-Other-NMI-No Records-Closing Request*
 4. **No A# provided; no name provided** → *INTAKE-Response-Simple-Other-NMI-No Records-Closing Request*
 - ii. **Step 5: Final Actions**
 1. **No records** (#1 and #2 above) - Close the request with **D(1) No records**.
 2. **NMI** (#3 and #4 above) – Close the request with **D(6) Improper FOIA Request for Other Reason**
3. **Multiple A#s provided for one person:**
- a. Search **CASE** for A# provided and note in the **Comments** field which A# worked (ex., **"only 111-111-111 works"**).
 - b. If A#s result in various records for the same respondent, note the results in the **Comments** field **"123-456-789 also results in (name)"**
 - c. If A#s result in records for different respondents, note the results in the **Comments** field (ex., **"123-456-789 for different person (name)"**)
 - d. Do **not** log in a new request for each A#.
 - e. Go to **Step 3: Assign Users:**
 - i. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - ii. Add **"Queue, GIS-Review"**
 - f. Go to **Step 4: Correspondence** – send **"INTAKE-Letter-SIMPLE-Ack"** and **STOP**.

ROP Requests

ROP Request

Alien Number (b)

ROP Received Date (6)

Alien Name

Case Type

Date City

Hearing Location

FISC

Next on Last Hearing Date

Reviewed Case Status

Nationality

EIA Case

Release Info

Judge

Birth Location

eROP

CO

1. **NTA Date (= Charging Doc. Date in CASE)**
 - a. If **Charging Doc. Date = 00/00/00**, it is a **Bond ROP**
 - i. FX will not allow you to type the 00/00/00 at NTA without error – **leave blank**
 - ii. Enter **Name**
 - iii. Enter **Base City**
 - iv. Enter **Scan Location** (under **ROP Location** in CASE), if available
 - v. Type **“Bond”** in **Comments**
 - vi. Go to **Step 3: Assign Users:**
 1. Change Primary User to **“Queue, SIMPLE”** and remove **“Queue, Incoming FOIA Requests”**
 2. Add **“Queue, ROP-Zero Bond”**
 - b. If **Charging Doc. Date = any other date**, enter the date. All other data will automatically pull in from CASE.
2. If there are **multiple Charging Doc. Dates**, it means there are **multiple proceedings**. In **Comments**, type each Charging Doc Date with its **ROP location**

Example Comments:

2 Proceedings: both LOS
3 Proceedings: 01/30/2001 - NYC 09/15/19992 - FRC 00/00/00 Bond - FRC
2 Proceedings: 01/30/2001 - NYC – eROP 09/15/1992 - LOS – FRC

Multiple Proceedings with Different ROP Locations

1. If the proceedings have ROPs at different locations, we have to order the ROPs from each location. **Proceed through the following steps:**
 - a. **Step 3: Assign Users**
 - i. Change Primary User to **“Queue, SIMPLE”** and remove **“Queue, Incoming FOIA Requests”**
 - ii. Add any necessary additional queue assignments (ex., DAR, Legal Assistants, GIS, etc.)
 - b. **Step 4: Correspondence**, send the **INTAKE-Letter-SIMPLE-Ack-Split** letter.
2. Log in **each additional ROP location** (including eROP) as a **new FOIA request** by **copying** the request. **Note:** Each copy must have assignments applied (assignments don’t copy). If one of the multiple proceedings is **eROP**, add **“Queue, ROP-eROP”** and the eROP drop-down menu **only** to the proceeding that has an eROP.
 - a. Navigate to **More Actions** and select **Copy this Request**.

Home Requests Requests Document Management Administration Reports

FOIA/PA - Request: 2022-33794 Remaining Days: 8 Status: Assigned

Request Information
 Assign Users
 Correspondence
 Request for Documents (0/0)
 Electronic Document Review (0/0)
 Add/Search/View Documents (0/0)
 Fees/Billing
 Final Actions
 Deliver Documents
 Stop the Clock
 Notes (2)
 Messages To/From Requester (0/0)
 Task Reminders (0/0)
 Extensions (0/0)
 Appeals (0)
 Logs/Reports
 More Actions

More Actions

Change Review Status Copy this Request

- When prompted if you would like to copy the correspondence log, select **Yes**. Then, select all correspondences to be copied to the new request.
- Update **ROP Requests** section (see steps above) with **NTA** of additional proceeding.
- Click **Save**.

ROP Request

Alien Number: (b) (6)
 NTA Date: (b) (6)
 ROP Received Date: (b) (6)
 Alien Name: (b) (6)
 Case Type: RMV
 Base City: LOS
 Hearing Location: LOS
 PRC: Yes
 Next or Last Hearing Date: 5/1/2012
 Protected Case Status: No
 Nationality: BQ
 DIA Case: No
 Release Info: Yes
 Judge: JLC
 Scan Location: (b) (6)
 eROP: No
 C/D: Yes
 ROP Requested From IC/BA/PRC: (b) (6)

Record Duplication

Date Sent: (b) (6)
 Date Returned: (b) (6)
 Biometric: (b) (6)

Expedite Requested: Yes No

Fee Waiver Requested: Yes No

Fee Details

Willing Amount: \$ 25.00 Willing to Pay All Fees

Unlabeled Requests

Comments

2 Proceedings:
 NYC - 01/02/2001 - eROP
 LOS - 09/15/1992 - PRC

Save

3. At **attachment** message, click **Yes**.
4. At **duplicates** message, click **Continue**.
5. At send **correspondence** message, click **Yes** and send the **INTAKE-Letter-SIMPLE-Ack-Split** letter.
6. Repeat the **Copy This Request** procedure for each additional proceeding. The FOIA requests for each proceeding will be **automatically linked** together after saving.

Expedite Requested <input type="radio"/> Yes <input checked="" type="radio"/> No	
Fee Waiver Requested <input type="radio"/> Yes <input checked="" type="radio"/> No	
Fee Details	
Willing Amount* \$: 25.00	<input type="checkbox"/> Willing to Pay All Fees
Link Request(s)	
2022-33794	Manage Link Requests

eROP



1. If an **eROP** is visible (blue folder icon) in CASE
 - a. Select **Yes** from the drop-down menu
 - b. Add **Comment "eROP"**
 - c. Go to **Step 3: Assign Users**:
 - i. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - ii. Add **"Queue, ROP-eROP"**
 - d. Go to **Step 4: Correspondence** – send **"INTAKE-Letter-SIMPLE-Ack"** and **STOP**.
2. If **no eROP** is visible (no blue folder icon) in CASE, do not change.

Record Duplication (Blowback/Cert.)

1. If Charging Doc. Date is <Oct. 1, 2020, check **Legacy FOIA** for **"Blowback."**
 - a. Use the A# to conduct a search in **Legacy FOIA** (<https://eoir-foia/>).
 - b. If results appear, it means a FOIA request was previously made under the legacy FOIA system and the ROP has already been scanned.
 - c. Compare the date of **ROP Offsite** and **Sent Entire File** to proceedings listed in **CASE**.
 - i. If further proceedings have occurred in CASE since the last time the ROP was scanned, a new scan must be created. This is **not** a blowback. Proceed as normal.
 - ii. If **no new proceedings** have occurred since the last time the ROP was scanned, we can request the previous scan of the ROP.
 1. At **Blowback drop-down menu**, select **Yes**
 2. Add **Comment "Blowback of [FOIA #]"** (ex., "Blowback of 2019-12345")
 3. Go to **Step 3: Assign Users**
 - a. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - b. Add **"ROP-Order"** queue.
 4. Go to **Step 4: Correspondence** - Send **INTAKE-Letter-SIMPLE-Ack** letter (or **INTAKE-Letter-SIMPLE-Ack-Split**, if part of multiple proceedings)



- iii. **Note:** Legacy could still have open FOIA requests and can be **duplicates** just like when searching in FX (see Step 1; for an example, see 2020-45068 or 2022-02041). If a **duplicate** is discovered (**same requester/same firm, no new proceedings**)

1. Add **Comment "Legacy duplicate"**
2. Go to **Step 3: Assign Users**
 - a. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - b. Add **"Queue, GIS-Review"** and **STOP**.

2. **Cert.** - Records previously created by the Certification Unit (certified copy created by BIA)

- a. If there is a **BIA proceeding/Case Appeal**, look for **Cert.**

09/20/18 (EPD) MPI WITHHELD ONLY - 12/19/18 DETAINED									
View	eRep	Ref#	A-Number	Charging Doc. Date (Type)	Proc. #	HLic	Name	U Completion (Date)	Rider?
NA	1			09/20/18 (EPD)	1	EPD		0 (12/19/18)	NO

04/28/16 (BTC) RUF REMOVAL - 02/08/17 DETAINED									
View	eRep	Ref#	A-Number	Charging Doc. Date (Type)	Proc. #	HLic	Name	U Completion (Date)	Rider?
NA	2			04/28/16 (BTC)	2	BTC		X (02/08/17)	NO

eRep	U Dec	U Dec Date	Type	U Base City	Hearing	BIA Dec Date	Dec Code	BIA Rider?
X		06/28/2018	Case Appeal	RUF	XRO	01/08/2018	REM	NO

- b. **Confirm** by clicking the **A#** and review the following in CASE (you only need to see it in one of these locations):

- i. **CASE INFO** tab – look for **"CIRCUIT COURT OIL CERTIFICATION"**
- ii. **COMMENTS** tab – look for **"CERT COMPLETE"**
- iii. **ACTIONS** tab – **ctrl+f "Cert"** to find **"CERT. COMPLETED – CERTIFICATION"**

- c. If found:

- i. In FX at **Blowback**, select **Yes**.
- ii. Add **Comment "Cert."**
- iii. Go to **Step 3: Assign Users**
 1. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 2. Add **"Queue, ROP-Order"**
- iv. Go to **Step 4: Correspondence** - Send **INTAKE-Letter-SIMPLE-Ack** letter (or **INTAKE-Letter-SIMPLE-Ack-Split**, if part of multiple proceedings) and **STOP**.

Failure to Prosecute

1. In **CASE**, look for an **"F"** in front of the **IJ Completion Date**. If any proceeding has an **"F,"**
 - a. From the drop-down list at **Failure to Prosecute (FTP)**, select **"Yes"**
 - b. Add **Comment "FTP"**

- c. Go to **Step 3: Assign Users**: Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - d. Go to **Step 4: Correspondence** - Send *INTAKE-Letter-SIMPLE-Ack* letter and **STOP**.
2. If after you click on the A-Number in **CASE** a screen like the one below appears, this means the charging document has not yet been received by the court, so there are no records.

- a. From the drop-down list at **Failure to Prosecute (FTP)**, select **Yes**
 - b. Add **Comment "FTP"**
 - c. Go to **Step 3: Assign Users**:
 - i. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - ii. Add **"Queue, GIS-Review."**
 - d. Go to **Step 4: Correspondence** - Send *INTAKE-Letter-SIMPLE-Ack* letter and **STOP**.

Expedite Requested

1. Look for an expedited processing request in the PAL request, but you could also find it in an attached formal request letter—look in **both** places. A formal request letter often refers to tracks:
 - a. **Track 1** - expedited processing
 - b. **Track 2** - Voluminous records/lengthy consultations not required (i.e., normal ROP request)
 - c. **Track 3** - voluminous records and lengthy/numerous consultations required (i.e., complex)
2. **Note**: expedite requests must be determined and responded to **within 10 calendar days of receipt**.
3. **If expedite requested, proceed through the following steps**:
 - a. **Step 3: Assign Users**
 - i. Change Primary User to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
 - ii. Add **"Queue, Complex-Legal Assistants"**
 - b. **Step 4: Correspondence** – send *INTAKE-Letter-SIMPLE-Ack* and **STOP**.

Fee Waiver Requested

1. If **Yes**,
 - a. Enter today's date
 - b. Select **N/A** from the **Determination** drop-down list
2. Click **Save**.

IMPORTANT - If you have reached this point and have not yet:

1. Changed the **Primary User**, proceed through **Step 3: Assign Users** to assign **"Queue, SIMPLE"** as the primary user and remove **"Queue, Incoming FOIA Requests."**
2. Had a reason to assign a legal assistant or GIS (i.e., the **ROP can be ordered** because there are no problems), be sure to also assign **"Queue, ROP-Order"** as a secondary user.

STEP 3: ASSIGN USERS

Primary User

1. If **Simple**, change the **Primary User** to **"Queue, SIMPLE"** and remove **"Queue, Incoming FOIA Requests"**
2. If true **Complex** case (not ROP/Audio/specific document in ROP) or **ROP request for Deceased Individual**, change the **Primary User** to **"Queue, Complex-Legal Assistants"** and remove **"Queue, Incoming FOIA Requests"**

Secondary Users (queues)

1. Only applies to requests remaining **open**
2. As the task pertaining to the queue is **accomplished**, the **queue** should be **removed**.
 - a. **Example:** "Queue, Complex-Legal Assistants" is added for an expedited processing determination. A legal assistant makes the determination and removes "Queue, Complex-Legal Assistants." If necessary, the legal assistant adds any new queues to continue processing, such as "Queue, Expedite" or closes the request, if necessary.
3. Below are the relevant queues for intake. You may see other queues in the list when assigning, but you can ignore them.

QUEUE	PURPOSE	NOTE
Incoming FOIA Requests	New PAL requests that need to be reviewed are automatically assigned to this queue.	This queue will <i>always</i> be removed at intake when changing Primary User to either Queue, SIMPLE or Queue, Complex-Legal Assistants
SIMPLE	Primary User for all Simple ROP requests	This queue will not change from Primary User assignment once it has been assigned at intake
Complex-Legal Assistants	<ul style="list-style-type: none"> • Complex requests • Deceased Individuals • Detainees w/ improper attestation • Not custodian • Expedited processing 	Legal assistant will review and reassign to attorney/supervisor/other queue(s) as necessary. If possible, GIS can also close.
GIS-Review	<ul style="list-style-type: none"> • Re-delivery • Fed. Gov't Agency/State Bar • Special Processing 	GIS will review and take the request to the point of closure
ROP-eROP	<ul style="list-style-type: none"> • eROP 	Intake assigns this queue when eROP is visible on a proceeding in CASE
ROP-DAR	Audio was requested and there is DAR in CASE	Always assign this from the point of intake
ROP-Order	<ul style="list-style-type: none"> • ROP is ready to be ordered • Single doc. from a ROP is needed 	This could be assigned at any point when it is determined all requirements for the request have been met and the ROP can be ordered.

Sample Queue Assignments

Primary User

Current Primary User of this Request is Gardner, Jessica

Change the Primary User for the request to* : Queue, SIMPLE ☐ Send Email Notification

Secondary Users

Name	Type	Group Name	Office	Email	<input type="checkbox"/> Send Email?	Action
Queue, Incoming FOIA Requests	Group Queue	Incoming FOIA R...	EOIR	Remove this line after changing Primary User to "Queue, SIMPLE"	<input type="checkbox"/>	<input type="button" value="X"/>
Queue, ROP-DAR	Group Queue	ROP-DAR	EOIR	Examples of Secondary users (queues) added for actions needed	<input type="checkbox"/>	<input type="button" value="X"/>
Queue, ROP-Order	Group Queue	ROP-Order	EOIR		<input type="checkbox"/>	<input type="button" value="X"/>
Queue, SIMPLE	Group Queue	SIMPLE	EOIR	Always added as Primary User for Simple requests	<input type="checkbox"/>	<input type="button" value="X"/>

Assignment Note: (will be included in assignment email notification)

☐ Attach Request Report (PDF) to the Email notification sent to the assignees

IMPORTANT! Any adding or removing action will **only** be saved after you click **Assign** at the bottom of the page. You **must** click that button before exiting the page and wait for the **Status** to change to **"Assigned"** at the top of the page.

Remaining Days: 29

Status: **Assigned**

Proceed to Step 4: Correspondence.

STEP 4: CORRESPONDENCE

Home >> Requests View/Search >> 2022-01948 - Request

Note: * fields are mandatory

FOIA/PA - Request: 2022-01948 Remaining Days: 29 Status: Assigned

Request Information

Assign Users

Correspondence

Request for Documents (0/0)

Add/Search/View Documents (0/0)

Fees/Billing

Final Actions

Deliver Documents

Stop the Clock

Notes (0)

Task Reminders (0/0)

Extensions (0/0)

Appeals (0)

Logs/Reports

More Actions

Send Correspondence Receive Correspondence Correspondence Log

Name Source Size Delete Replace

There are no attachments

Dispatch Mode: ☒ Email ☐ Print ☐ Save to Disk Delivery Mode: E-mail Dispatch Date: 10/14/2021

Email Options

From Email Type*: ☐ User Email ☒ User Action Office Email

From*: eoir.solarrequest@usdoj.gov

Template: Select Email Template

Subject*:

☐ Read Receipt ☐ Delivery Receipt

☒ Requester ☐ Other

To: (b) (6)

Cc:

Add From

Letter Template

Pending Letter (0)

Disk

Correspondence Log

Invoice Log

Print Requester Address

Responding by Email:

1. Under **Email Options**, at **From Email Type**, select the radio button for **User Action Office Email**.
2. Select the appropriate letter template(s) (see below).
3. Click **Send Email**.

Responding by Mail:

Click **Letter Template** and choose appropriate letter(s) (see below).

Remaining Days: 30 Status: Received

Send Correspondence Receive Correspondence Correspondence Log

Name Source Size Delete Replace

There are no attachments

Dispatch Mode: ☐ Email ☒ Print ☐ Save to Disk Delivery Mode: Electronic Download Dispatch Date: 11/01/2021

Print Options

Subject*:

Add From

Letter Template

Pending Letter (0)

Disk

Correspondence Log

Invoice Log

Print Requester Address

Select the appropriate letter template:

Letter Template	Purpose	Who normally sends
INTAKE-SIMPLE-Letter-Ack	A# was provided and record found – request will be processed	Intake
INTAKE-SIMPLE-Letter-Ack-Split	A# was provided and record found with multiple proceedings – request will be processed	Intake
INTAKE-SIMPLE-Letter-Ack-Legacy Transfer	Transferring duplicate from Legacy to FX	GIS
INTAKE-SIMPLE-Response-Other-Duplicate-Closing Request	Duplicate request	Intake
INTAKE-SIMPLE-Response-Improper-Closing Request	Request missing attestation OR request has defective attestation (attorneys/firms/first-party requests)	Intake
SIMPLE-Response-GLOMAR-Closing Request	Request missing attestation OR request has defective attestation (third-party not purporting to have authorization to obtain the records/unrelated to target of request in any way)	Intake
INTAKE-SIMPLE-Response-Other-No Records-Closing Request	1. Requester provided A# and requester provided name → No records 2. Requester provided A# but did not provide name → No records	Intake
INTAKE-SIMPLE-Response-Other-NMI-No Records-Closing Request	1. Requester did not provide A# but provided name → No records → Need More Info (NMI) 2. Requester did not provide A# and did not provide name → No records → Need More Info (NMI)	Intake
SIMPLE-Response-Other-No Records Referral	No records found and are housed in a different component within DOJ	Intake
SIMPLE-Response-Other-Not Custodian	Request for records for which EOIR/DOJ is not the custodian	Legal Assistant
SIMPLE-Response-Other-Attorney Discipline	Request forwarded to Attorney Discipline (State Bar)	GIS
INTAKE-GENERAL-Letter-Expedited-Deny	Expedite request denied	Legal Assistant
INTAKE-GENERAL-Letter-Expedited-Grant	Expedite request granted	Legal Assistant
INTAKE-Letter-Interim-On Hold-Improper Attestation (detainee)	Detainee cannot be verified, other attestation is improper – print a copy of the DOJ-361 from https://www.justice.gov/ust/file/doj361_form.pdf/download and include it in the mailing.	Legal Assistant
SIMPLE-Response-Other-Records Found Referral	Records located but originated from a different agency	Legal Assistant
SIMPLE-Response-Other-Withdrawn	Requester sent a request to withdraw their FOIA request	Whoever received the email (normally Intake)

Proceed to **Step 5: Final Actions**, if closing the request. Otherwise, **STOP**.

STEP 5: FINAL ACTIONS

Correspondence	Received Date : 10/13/2021	Reportable Disposition* : Select Reportable Disposition						
Request for Documents (0/0)	Target Date : 11/26/2021	Multi-Track Type* : Simple						
Add/Search/View Documents (0/0)	Disposition Accepted Date* : 10/14/2021							
Fees/Billing	Perfected : Yes							
Final Actions	Note: Update each Disposition listed below as TBD to calculate the Reportable Disposition.							
Deliver Documents	Request Descriptions Double-click on each line item to update the 'TBD' action.							
Stop the Clock	<table border="1"> <thead> <tr> <th>Description</th> <th>Disposition</th> <th>Action Date</th> </tr> </thead> <tbody> <tr> <td>ROP</td> <td>TBD</td> <td></td> </tr> </tbody> </table>		Description	Disposition	Action Date	ROP	TBD	
Description	Disposition	Action Date						
ROP	TBD							
Notes (0)	Notes							
Task Reminders (0/0)								
Extensions (0/0)								
Appeals (0)	Spell Check View Documents Remove Final Action Save							

Description

- Double-click the **grey line** (see image above).
- Select **Other Reasons** from the drop-down menu.

Final Disposition* : Select Final Disposition

- Denied in Full
- Granted/Denied in Part
- Granted in Full
- Other Reasons**

- Select the appropriate code (see code descriptions on next page):

Default - Final Action - 2022-01948

Action Date* : 10/14/2021 Final Disposition* : Other Reasons

Exemption/Exclusion Codes

<input type="checkbox"/>	Code	Description
Code Type: Other		
<input type="checkbox"/>	D(1)	No Records
<input type="checkbox"/>	D(2)	All Records Referred to Another Component or Agency
<input type="checkbox"/>	D(3)	Request Withdrawn
<input type="checkbox"/>	D(4)	Fee-Related Reason
<input type="checkbox"/>	D(5)	Records not Reasonably Described
<input type="checkbox"/>	D(6)	Improper FOIA Request for Other Reason
<input type="checkbox"/>	D(7)	Not Agency Record
<input type="checkbox"/>	D(8)	Duplicate request
<input type="checkbox"/>	D(9)	Other

Code	Corresponding Letter Template(s)
D(1) No Records	<ul style="list-style-type: none"> • INTAKE-Response-Other-No Records-Closing Request
D(2) All Records Referred to Another Component or Agency	<ul style="list-style-type: none"> • SIMPLE-Response-Other-Attorney Discipline • SIMPLE-Response-Other-Not Custodian • SIMPLE-Response-Other-No Records Referral • SIMPLE-Response-Other-Records Found Referral
D(3) Request Withdrawn	<ul style="list-style-type: none"> • SIMPLE-Response-Other-Withdrawn
D(6) Improper FOIA Request for Other Reason	<ul style="list-style-type: none"> • INTAKE-Response-Other-No Records-NMI-Closing Request • INTAKE-Response-SIMPLE-Improper-Closing Request • INTAKE-Response-SIMPLE-Improper-Closing Request After 30 Days • SIMPLE-Response-GLOMAR-Closing Request
D(8) Duplicate request	<ul style="list-style-type: none"> • INTAKE-Response-Other-Duplicate-Closing Request

4. Click **Save**.

Close Request

1. At **Closed Date**, select the **current date**.
2. At **Number of Records Posted for Public Inspection**, enter a **"0"** (zero).

The screenshot shows the 'Close Request' form. The left sidebar has a menu with 'Close Request' highlighted. The main form area contains the following fields:

- Requester: (b) (6)
- Organization: [Redacted]
- Fee Waiver: N/A
- Fee Due: \$ 0.00
- Received Date: 10/2/2020
- Disposition Accepted Date: 10/9/2020
- Closed Date: 10/9/2020 (with a calendar icon)
- Final Disposition: Other Reasons
- Review Status: Select Review Status
- Multi-Track Type: Simple
- Number of Pages Released: 0 (Generated Count: 0)
- Number of Pages Reviewed: 0 (Generated Count: 0)
- Number of Records Posted for Public Inspection: 0

Arrows point to the 'Closed Date' and 'Number of Records Posted for Public Inspection' fields.

3. At the close request confirmation pop up, click **Yes**.

1. Open **CASE**, search using the **A-number**, and go to **Schedule**.
2. For each recording, click the **speaker icon** to load the DAR file. The DAR file will open in "RCPlayer."
 - a. **Wait for the entire blue line to load.** Otherwise the entire file will not be downloaded when you export.

(b) (6)

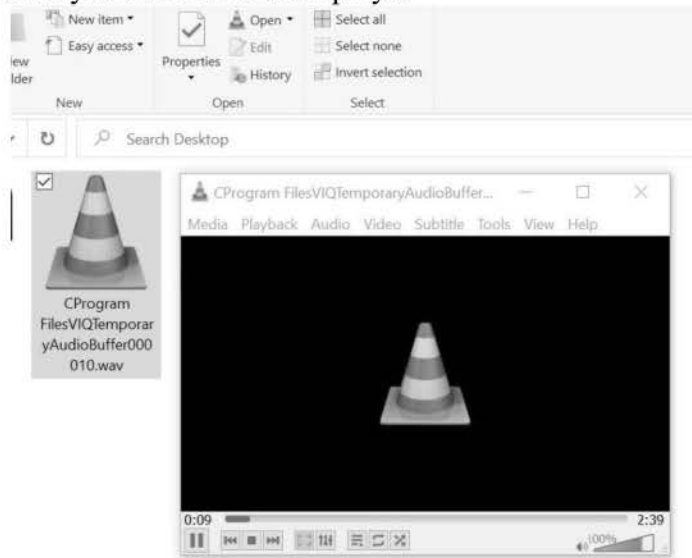


3. Click **File**, then **Export Audio**.
4. Select a folder that you have designated to use as a **temporary** location for this transfer process. You do **not** need to keep the file after it has been added to FX. Therefore, your **desktop** might be an efficient location to use.
 - a. **Wait for the entire blue export bar** to load before moving on.
 - b. Sometimes the recording is **split** into parts. If so, you will see multiple lines with the A-number in a table at the bottom of RCPlayer. **Export each section individually** by exporting one, then selecting the next line and exporting, and so on. Only one line may be selected at a time

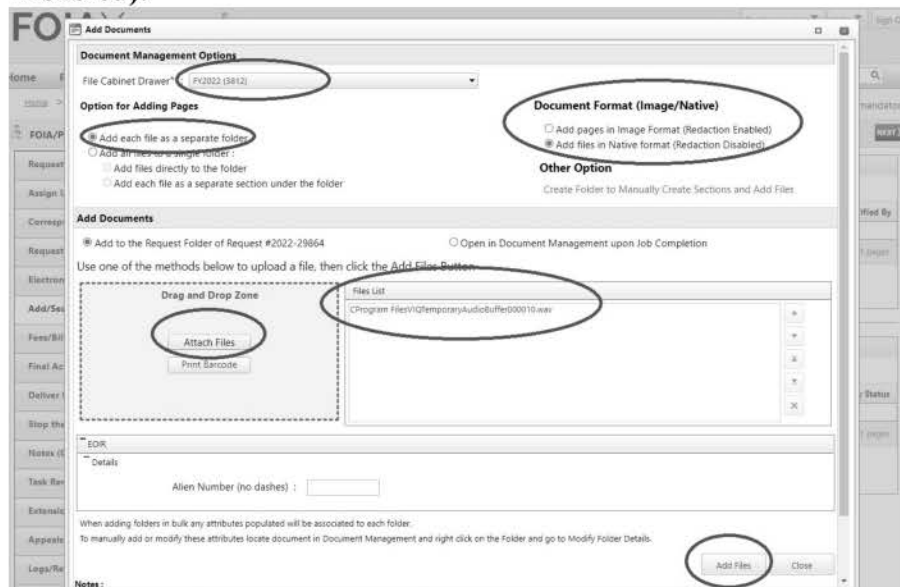
(b) (6)



5. The file will save as **.wav**, which can be opened using **VLC Player**.
6. Click the file to **make sure it plays**. If it does **not** play, you will need to **repeat** the steps above and retest the file to make sure it plays. The file should **not** be uploaded to FX until you are sure the file plays.



7. Add the file to FX under **Add/Search/View Documents** → **Request Folder Documents**.
8. Under **Document Form (Image/Native)**, select “**Add files in Native format (Redaction Disabled)**.”



9. At “**Are you sure you want to add documents from the file list?**” click **Yes**.
10. When the **Job Progress** box disappears, the **Add/Search/View Documents** page will refresh. You should see the DAR file in the **Request Folder Documents**.

1. Using “Organize Pages,” extract OPEN complaints to new subfolder “Withhold in Full”.
2. For remaining complaint summaries, redact the following information:
 - a. IJ Name, with 14 exceptions from *AILA* vs *US III**
 - i. Holliday, Carey
 - ii. Zerbe, Craig M.
 - iii. Ferris, Noel Anne
 - iv. Rogers, D. Anthony
 - v. Carté, John D.
 - vi. Vomacka, Alan. A.
 - vii. Sims, Deitrich H.
 - viii. Mullins, Ronald J.
 - ix. Malloy, Rosalind K.
 - x. Munoz, Lorraine J.
 - xi. Pelletier, J. Dan
 - xii. Cassidy, William A.
 - xiii. Cordova, David J.
 - xiv. McCormack, Nancy R.
 - b. A-numbers
 - c. Foreign national names
 - d. Complainant names
 - e. Third-party PII in narrative
 - f. Circuit Court number when Circuit Court is the “complainant”
 - g. Retirement or removal dates
 - h. Unpublished decision citations
 - i. Conviction details
 - j. Hearing dates and order dates (day and month only – leave year)
 - k. Any information that could reasonably be foreseen to identify the IJ
3. Do not redact Base City unless 3 or less IJs.
 - a. IJ list can be found here: <https://www.justice.gov/eoir/eoir-immigration-court-listing>
4. All proposed IJ complaint releases must be approved by the General Counsel. Notify or forwarded proposed release to the Supervisory Attorney Advisor

*For all other names, the General Counsel will make a release decision based on the *AILA III* factors.

1. Request received
 - a. Logged in by FOIA intake as of the date received by EOIR (not the date entered by FOIA intake, but date received by EOIR, i.e., either date on email or PAL request, or date-stamped date on hard-copy mail)
 - b. FOIA database automatically assigns control number
 - c. FOIA intake sends acknowledgment letter to the requester with control number and other information. *See* 28 C.F.R. § 16.6.
2. Multi-tracking – each request is assigned to a processing track. *See* 28 C.F.R. § 16.5(b)
 - a. Track 1 – Expedited Processing
 - b. Track 2 – Simple Requests – all ROP requests unless other guidance received
 - c. Track 3 – Complex Request – all non-ROP requests unless other guidance received
 - d. Generally, FOIA requests are processed in the order received except for those granted Expedited Processing (Track 1), i.e., a First In/First Out system for each Track. *See* 28 C.F.R. § 16.5(a). “Expedited” means that it is either a Simple or Complex request, but it goes to the front of the line.
3. Processing time
 - a. 20/30 **working days** to process from date received. As a matter of course, EOIR invokes 30 working days for all requests based on “unusual circumstances.” *See* 28 C.F.R. § 16.5(c).
4. Expedited processing
 - a. 10 **calendar days** to grant/deny and notify requester. *See* 28 C.F.R. § 16.5(e) for criteria (four (4) circumstances qualify)
 - b. Once determined, send requester Grant or Deny notification– bar is very high for requester to meet expedited processing
5. Requester category and fees – determine requester category *see* 28 C.F.R. § 16.10 et seq. Requester category determines when/whether a requester can be charged fees
 - a. Requester categories
 - i. Commercial use
 - ii. News media (including freelance journalists)/educational institutions
 - iii. All “others” – individuals, non-profit organizations
 - b. Types of fees
 - i. Search
 - ii. Review
 - iii. Duplication (generally negligible)
 - c. Review *Decision Tree for Assessing Fees* at https://www.justice.gov/oip/oip-guidance/decision_tree_for_assessing_fees_foia_improvement_act_2016 for more information.

6. Scope – determine scope of the request. This is the Request Description. *See* 28 C.F.R. § 16.3(b)
 - a. The Program Offices you task to search will depend on the scope of request
 - b. Program Offices and Record Custodians
 - i. Office of the Director (OOD)
 - (1) Planning, Analysis and Statistics Division (PASD)
 - ii. Office of Policy (OP)
 - (1) Legal Education & Research Services (LERS)
 - (2) Communications and Legislative Affairs Division (CLAD)
 - (3) Office of Legal Access Program (OLAP)
 - iii. Office of the General Counsel (OGC)
 - iv. Office of Administration (OA or ADMIN)
 - (1) HR
 - (2) Budget
 - (3) Procurement
 - (4) Budget
 - (5) Security
 - v. Office of the Chief Immigration Judge (OCIJ)
 - vi. Board of Immigration Appeals (BIA)
 - vii. Office of the Chief Administration Hearing Officer (OCAHO)
 - viii. Office of Information Policy (OIT)
7. Send Request for Documents (RFD) to appropriate Program Office/Record Custodian – this is the “search”
 - a. Generally, allow 10 calendar days only for the Program Office/Record Custodian to conduct and provide potentially responsive records
 - b. If appropriate, customize the RFD so that the Program Office
8. Gather and organize potentially responsive records. Organize by Program Office/Record Custodian
 - a. Segregate responsive v. non-responsive records. Continually refer to Request Description
9. Determine the agency’s response - there are 4 types of agency determinations for FOIA requests:
 - a. Number of Full Grants (“Full Grant”)
 - b. Number of Partial Grants/Partial Denials (“Partial Grant”)
 - c. Number of Full Denials Based on Exemptions (“Full Denial”)
 - d. Number of Full Denials Based on Reasons Other than Exemptions (“Other”)
 - i. No Records (D)(1)
 - ii. All Records Referred to Another Component Agency (D)(2)
 - iii. Request Withdrawn (D)(3)
 - iv. Fee-related Reason (D)(4)
 - v. *Records Not Reasonably Described (D)(5)
 - vi. *Improper FOIA Request for Other Reason (D)(6)
 - vii. Not Agency Record (D)(7)
 - viii. Duplicate Request (D)(8)
 - ix. *Other Reason (D)(9)