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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **INGRID V. EAGLY,**

11 Plaintiff,

12 v.

13 **FEDERAL BUREAU OF PRISONS and**
14 **U.S. DEPARTMENT OF JUSTICE,**

15 Defendants.

Civil Action No. _____

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

16
17 **INTRODUCTION**

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19 1. This is an action under the Freedom of Information Act (FOIA), 5
20 U.S.C. § 552, seeking to compel the Federal Bureau of Prisons (BOP), a
21 component of the U.S. Department of Justice (DOJ), to immediately release
22 records and data regarding the identification and deportation of noncitizens in
23 BOP custody through programs including the Institutional Hearing Program
24 (IHP). This information is critical to understanding a program that threatens the
25 due process rights of noncitizens facing deportation, blurs the line between
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1 criminal punishment and civil immigration detention, and operates within
2 prison walls outside the public eye.

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4 2. The IHP is a coordinated effort by BOP, Immigration and Customs
5 Enforcement (ICE), and the Executive Office for Immigration Review (EOIR),
6 to conduct removal proceedings for noncitizens while they are serving criminal
7 sentences. BOP's stated purpose in facilitating the IHP is to "allow[] ICE to
8 effect deportation immediately upon completion of a[] [person's] sentence."
9 BOP Program Statement No. 5111.04, *Institutional Hearing Program*, 1 (July
10 7, 2006), https://www.bop.gov/policy/progstat/5111_004.pdf [hereinafter BOP
11 IHP Program Statement]. This focus on expediency in settings inherently
12 shielded from the public threatens the constitutional, statutory, and regulatory
13 rights of the people the IHP targets for deportation.
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17 3. The IHP and other forms of immigration screening operate in BOP
18 prisons to facilitate civil deportation without providing adequate protections for
19 the rights of the individuals targeted for removal. As a result of their criminal
20 confinement, people facing removal while in BOP custody have limited access
21 to counsel. Frequently they must also defend themselves from deportation over
22 video teleconference (VTC) rather than appear in person before an immigration
23 judge. And some people never get any hearing before an immigration judge.
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1 Instead—in a process even more hidden than an IHP immigration court
2 proceeding—an ICE officer enters a removal order.
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4 4. Over 200,000 people have passed through the IHP since it was
5 formally established in 1986. TRACImmigration, *The Immigration Court's*
6 *Institutional Hearing Program: How Will It Be Affected* (Feb. 22, 2017),
7 <https://trac.syr.edu/immigration/reports/461/> [hereinafter TRAC Report]. In
8 2017, the Trump Administration announced plans to expand the IHP “[t]o the
9 maximum extent possible.” Yet there is little public information about the IHP
10 and no published scholarship examining the troubling program. For these
11 reasons, in October and November 2019, Ingrid V. Eagly, Professor of Law at
12 the University of California, Los Angeles (UCLA), submitted two FOIA
13 requests seeking records and data that reflect BOP’s facilitation of deportations,
14 including through the IHP. Professor Eagly intends to use this information to
15 further her research into the IHP and to share that research with the public
16 through her published work. Over ten months after receiving both requests,
17 BOP has not provided any substantive response or produced any records. As a
18 result, BOP’s role in the deportation process remains opaque, to the detriment
19 of all noncitizens in BOP custody and shielded from public scrutiny.
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1 **JURISDICTION AND VENUE**

2 5. This Court has jurisdiction pursuant to 5 U.S.C. § 552(a)(4)(B) and
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4 28 U.S.C. § 1331.

5 6. This Court has jurisdiction to grant declaratory and further proper
6 relief pursuant to 28 U.S.C. §§ 2201-2202 and the Federal Rules of Civil
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8 Procedure 57 and 65.

9 7. Venue lies in this District under 5 U.S.C. § 552(a)(4)(B) and 28
10 U.S.C. § 1391(e) because Professor Eagly, the plaintiff in this action, has her
11 principal place of business within the Central District of California.
12

13 **PARTIES**

14 8. Plaintiff Ingrid V. Eagly (Professor Eagly) is a Professor of Law at
15 UCLA School of Law. Professor Eagly is an expert in the intersection between
16 immigration enforcement and the criminal legal system. Her recent work
17 explores a range of topics, including criminal immigration laws and the U.S.
18 immigration courts. Her scholarship has appeared in the University of
19 Pennsylvania Law Review, Texas Law Review, California Law Review,
20 Northwestern University Law Review, and Yale Law Journal, among others.
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23 9. Defendant Federal Bureau of Prisons (BOP) is a subcomponent of
24 the U.S. Department of Justice and an agency within the meaning of 5 U.S.C. §
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1 552(f)(1). BOP is charged with the management and regulation of all Federal
2 penal and correctional institutions. 18 U.S.C. § 4042(a)(1).
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4 10. Defendant U.S. Department of Justice (DOJ) is an agency of the
5 U.S government and an agency within the meaning of 5 U.S.C. § 552(f)(1).
6 DOJ is comprised of multiple sub-agencies, including BOP. *See* 18 U.S.C. §
7 4042(a).
8

9 11. Defendants have custody and control over the records Plaintiff
10 seeks to make publicly available under 5 U.S.C. § 552(a)(3).
11

12 STATEMENT OF FACTS

13 *Overview of the Institutional Hearing Program and Immigration* 14 *Enforcement Within Federal Bureau of Prisons Facilities*

15 12. The former Immigration and Naturalization Service (INS) and
16 EOIR, working with BOP and state and local correctional institutions, created
17 the IHP to expedite the removal of noncitizens serving criminal sentences. In
18 implementing the IHP, BOP facilitates the issuance of removal orders by both
19 immigration judges and immigration officers. From its inception, the program
20 has been plagued by due process concerns precisely because of its focus on
21 expediency while operating in secrecy.
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24 13. Formally established in 1986, the program grew steadily over the
25 next decade, peaking at over 18,000 cases in 1997. TRAC Report. It then saw a
26 decline in immigration court proceedings coinciding with legislation expanding
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1 INS' authority to allow for deportation officer-issued removal orders against
2 noncitizens with certain criminal convictions while bypassing immigration
3 court proceedings. *See, e.g.*, 8 U.S.C. § 1228(b). Nevertheless, between Fiscal
4 Years 2014 and 2018, EOIR completed 13,866 IHP proceedings. DOJ, EOIR
5 Statistics Year Fiscal Year 2018, 21,
6 <https://www.justice.gov/eoir/file/1198896/download>.

9 14. The Trump Administration has publicly announced its intent to
10 expand the IHP. In February 2017, the Department of Homeland Security
11 (DHS)—having assumed immigration enforcement responsibilities from the
12 now-defunct INS in 2003—released a memorandum stating that in partnership
13 with EOIR, DHS would expand the IHP program “[t]o the maximum extent
14 possible” in “federal, state, and local facilities.” Memorandum from John Kelly,
15 DHS Secretary, on Enforcement of the Immigration Laws to Serve the National
16 Interest, 3 (Feb. 20, 2017),
17 [https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-](https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf)
18 [of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf](https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf).

22 15. A month later, in March 2017, DOJ issued a press release
23 announcing that the IHP would grow to operate in fourteen BOP facilities and
24 six BOP contract facilities. Press Release, DOJ Office of Public Affairs,
25 *Attorney General Sessions Announces Expansion and Modernization of*
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27

1 *Program to Deport Criminal Aliens Housed in Federal Correctional Facilities*
2 (Mar. 30, 2017), [https://www.justice.gov/opa/pr/attorney-general-sessions-](https://www.justice.gov/opa/pr/attorney-general-sessions-announces-expansion-and-modernization-program-deport-criminal)
3 [announces-expansion-and-modernization-program-deport-criminal](https://www.justice.gov/opa/pr/attorney-general-sessions-announces-expansion-and-modernization-program-deport-criminal).
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5 16. By January 2018, there were at least twenty-one BOP facilities
6 hosting IHP proceedings. EOIR, *Factsheet: Institutional Hearing Program*
7 (Jan. 2018), <https://www.justice.gov/eoir/page/file/1023101/download>. ICE
8 prosecutes IHP proceedings and, in some circumstances, issues removal orders
9 outside of the immigration court process. Nevertheless, BOP plays an essential
10 role in identifying noncitizens within BOP facilities, connecting ICE to those
11 individuals, and transferring detained individuals to certain BOP facilities
12 designated as IHP hearing sites, among other responsibilities. *See* BOP Change
13 Notice 5111.04, CN-1, *Institutional Hearing Program* (May 23, 2017),
14 https://www.bop.gov/policy/progstat/5111.04_cn1.pdf [hereinafter BOP IHP
15 Change Notice]. In this way, BOP works to “ensure the maximum number of
16 eligible [people] in [BOP] custody participate in the IHP while serving their
17 sentences.” *Id.* at 1. BOP also coordinates with ICE regarding the lodging of an
18 ICE detainer, which triggers an individual’s transfer to immigration custody
19 upon completion of his sentence.
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25 17. Moreover, as the physical custodian, BOP controls detained
26 individuals’ access to the outside world, including access to counsel, family
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1 members, legal resources, and other forms of support necessary for these
2 individuals to defend themselves in removal proceedings.
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4 18. The full scope and operation of immigration enforcement within
5 BOP facilities remains unclear. There is little or no publicly available
6 information about what policies and practices, if any, BOP has implemented to
7 safeguard the rights of individuals in IHP proceedings, including their right to
8 access counsel. Likewise, there is little information about how many people in
9 BOP facilities have been ordered removed by an ICE deportation officer
10 without a hearing before an immigration judge.
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12 ***Rights of Individuals Facing Removal Based on Criminal Convictions***

13 19. Deportation is not a foregone conclusion for a noncitizen with a
14 criminal conviction. Except as discussed below, before the government can
15 deport a noncitizen, he or she is entitled to full and fair proceedings before an
16 immigration judge. *See* 8 U.S.C. § 1229a; *see also Wong Wing v. United States*,
17 163 U.S. 228, 238 (1896). For those noncitizens serving criminal sentences – as
18 with all noncitizens – these proceedings are not a mere formality. The
19 immigration judge must resolve at least two key questions: whether the
20 noncitizen is subject to removal, *see* 8 U.S.C. § 1229a(a)(1), and whether, if the
21 noncitizen is subject to removal, he or she can raise a defense to removal, *see* 8
22 U.S.C. § 1229a(c)(4).
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1 20. For a noncitizen with a criminal conviction, the answer to both
2 questions involves the complex intersection of criminal and immigration law.
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4 The Supreme Court has addressed this complexity, while repeatedly reiterating
5 the principle that the government is bound by strict legal limitations when
6 determining the immigration consequences of criminal convictions. *See, e.g.*
7 *Moncrieffe v. Holder*, 569 U.S. 184 (2013). These limitations are essential for
8 individuals appearing on the IHP docket because deportation “is a particularly
9 severe ‘penalty.’” *Padilla v. Kentucky*, 559 U.S. 356, 365 (2010).
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12 21. The immigration court removal process incorporates important
13 procedural safeguards designed to prevent unlawful deportations, including
14 protections for noncitizens facing removal based on a criminal conviction. Key
15 among the protections provided by the Immigration and Nationality Act (INA)
16 are the right to be represented by counsel, the opportunity to examine the
17 government’s evidence and to present evidence one’s behalf, and the right to
18 cross-examine government witnesses. *See* 8 U.S.C. § 1229a(b)(4)(A)-(B). In
19 these proceedings, the noncitizen may defend against removal by applying for
20 any available relief, including asylum or protection under the Convention
21 Against Torture. *See* 8 U.S.C. § 1229a(c)(4). When an immigration judge
22 observes indicia of mental incompetency, the judge must conduct a competency
23 hearing pursuant to agency precedent. *See Matter of M-A-M-*, 25 I&N Dec. 474
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1 (BIA 2011). Finally, the government must maintain a complete record,
2 including all testimony, of these proceedings. 8 U.S.C. § 1229a(b)(4)(C). A
3 person subject to a final order of removal may seek judicial review through a
4 petition for review filed in the relevant circuit court of appeals. *See* 8 U.S.C. §
5 1252(a)(1).
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8 22. As most relevant here, there are two circumstances where a
9 noncitizen can be ordered removed by an ICE officer.¹ The INA and
10 implementing regulations also require procedural and substantive protections
11 for people who are ordered removed by an immigration officer. In proceedings
12 pursuant to 8 U.S.C. § 1228(b), generally called “administrative removal,” ICE
13 deportation officers may issue removal orders to noncitizens who are not lawful
14 permanent residents if an officer, a non-attorney, makes the legal determination
15 that they are deportable due to an aggravated felony conviction as that term is
16 defined in 8 U.S.C. § 1101(a)(43). The statute and regulations require certain
17 important procedural protections in these circumstances, including the right to
18 counsel of the noncitizen’s choice at no expense to the government, notice of
19 the charges of removability, and “a reasonable opportunity to inspect the
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25 ¹ A removal order may also be issued outside of a court proceeding
26 through a process called expedited removal for certain individuals who arrive at
27 the U.S. border without proper documentation or who enter the United States
without inspection. *See* 8 U.S.C. § 1225(b). In these instances, deportation is
ordered by an immigration official, rather than a judge.

1 evidence and rebut the charges.” 8 U.S.C § 1228(b)(4)(A)-(C). ICE must
2 maintain a record of the proceedings for judicial review. 8 U.S.C. §
3 1228(b)(4)(E). Even if properly subject to administrative removal, a noncitizen
4 can pursue certain relief or protection from removal. *See* 8 C.F.R. §§
5 238.1(f)(3); 208.31. And a person may seek judicial review of an administrative
6 removal order. *See* 8 U.S.C. § 1228(b)(3).
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9 23. In reinstatement of removal proceedings, individuals who have
10 reentered after a prior removal order also face summary removal based solely
11 on the decision of an ICE deportation officer, i.e., without a hearing before an
12 immigration judge. 8 U.S.C. § 1231(a)(5). Individuals with a reinstated removal
13 order can still defend against removal by applying for certain forms of relief or
14 protection. *See* 8 C.F.R. §§ 241.8(e); 208.31. A person may seek judicial review
15 of a reinstated removal order. *Chay Ixcot v. Holder*, 646 F.3d 1202, 1206 (9th
16 Cir. 2011).
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20 ***Due Process Deficiencies in Immigration Enforcement Facilitated by the***
21 ***Federal Bureau of Prisons***

22 24. BOP, by facilitating immigration enforcement inside federal
23 prisons, renders these protections meaningless for many incarcerated
24 noncitizens. While the dearth of information regarding the IHP makes it
25 difficult to evaluate the extent to which the program undermines noncitizens’
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1 constitutional, statutory, and regulatory rights in removal proceedings, the little
2 that is known reveals serious due process concerns.

3
4 25. Chief among those concerns is limited access to counsel. Available
5 historical data shows that between 2007 and 2017, only 9% of noncitizens in
6 the IHP were represented by attorneys. Ingrid Eagly & Steven Shafer, *A*
7 *National Study of Access to Counsel in Immigration Court*, 164 U. Pa. L. Rev.
8 1, 24 (Dec. 2015), available at
9 https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=9502&context=penn_law_review. Upon information and belief, among the factors driving this
10 low rate is the fact that many BOP facilities are in remote areas far from
11 immigration practitioners and legal services providers. Moreover, upon
12 information and belief, noncitizens serving criminal sentences do not have
13 access to EOIR’s Legal Orientation Program (“LOP”), or other forms of free
14 legal education which are available to many noncitizens in immigration
15 detention facilities. Given the complexity of determining the immigration
16 consequences of criminal convictions, this lack of counsel or legal education is
17 especially devastating for those in IHP or administrative removal proceedings.²
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26 ² The agencies themselves frequently err when identifying the immigration
27 consequences of criminal convictions. *See, e.g., Esquivel-Quintana v. Sessions*,
137 S. Ct. 1562 (2017); *Moncrieffe*, 569 U.S. 184; *Lopez-Aguilar v. Barr*, 948
F.3d 1143 (9th Cir. 2020).

1 26. Even for those able to obtain legal representation, the publicly
2 available BOP policy does not disclose how, or if, BOP ensures adequate access
3 to that counsel. In a May 23, 2017 update to the BOP IHP Program Statement,
4 BOP provides only that a detained person’s representative is “eligible” to attend
5 an IHP hearing, that the represented person must give advance notice to BOP
6 staff to allow for such attendance, and that the Warden “will make the final
7 decision regarding entrance of visitors.” BOP IHP Change Notice at 8.
8

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10 27. In addition to limited access to counsel, on information and belief,
11 close to 50% of all IHP hearings occur over VTC. In other words, many
12 noncitizens in IHP proceedings never have an opportunity to appear in person
13 before an immigration judge. It is difficult for a noncitizen to defend against
14 deportation over video when he is represented by counsel, in part because he
15 may be unable to privately communicate with his lawyer during those hearings.
16 But for unrepresented noncitizens operating without any legal guidance, the
17 VTC may present an unsurmountable obstacle to effectively participating in
18 their own removal proceedings.
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22 28. Moreover, on information and belief, BOP, in implementing the
23 IHP, has segregated noncitizens within federal prisons based on national origin.
24 On information and belief, at some BOP facilities, over 90% of all people who
25 pass through the IHP are Mexican; at others, the rate is less than 3%. This
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1 means that immigration courts and ICE officers operating at these facilities are
2 adjudicating cases selected based on the national origin of the people facing
3 removal. Further information is required to understand whether individuals in
4 these segregated prisons face different treatment in the IHP based on their
5 national origin.
6

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8 29. To understand the scope of the concerns, more information is
9 needed about how the BOP participates in immigration enforcement.

10 ***Plaintiffs' FOIA Request and Defendants' Response***
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12 30. To further her research into the IHP and shed light on immigration
13 enforcement by the BOP, Professor Eagly submitted a FOIA Request to BOP on
14 October 27, 2019 (the Policies Request). The Policies Request sought records
15 from 1986 to the present. *See* Exhibit A.
16

17 31. The Policies Request asked for all BOP Program Statements that
18 have governed the IHP, including the following: (a) The Program Statement
19 that began the IHP in 1986; (b) Program Statement Number 5111.01, dated
20 4.25.97; (c) Program Statement Number 5111.04, dated July 3, 2006; and (d)
21 Any other Program Statements that have governed the IHP.
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24 32. In addition, the Policies Request asked for all BOP policies that
25 reference the IHP, all BOP forms that have governed the IHP, and all BOP
26 research and reports regarding the IHP.
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1 33. Finally, the Policies Request asked for “[a]ll documents, emails,
2 memoranda, correspondence, policies, and training materials held in response to
3 Attorney General [] Sessions announcement on March 30, 2017, that the BOP
4 will work with ICE and EOIR to expand and strengthen the IHP.” *Id.*
5

6 34. Professor Eagly submitted a second FOIA Request on November
7 7, 2019 (the Data Request) seeking data regarding immigration enforcement by
8 the BOP, including through the IHP. *See* Exhibits B, C.
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10 35. The Data Request adopted the terms of the BOP IHP Program
11 Statement and requested the following data, organized by fiscal year, from 1986
12 to the present:
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- 14 a. The total number of BOP inmates who receive deportation
15 orders, by fiscal year, and this same data broken down by the
16 BOP facility that houses the inmate (and fiscal year).
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18 b. The total number of BOP inmates with ICE detainers, by fiscal
19 year, and this same data broken down by the BOP facility that
20 houses the inmate (by fiscal year).
21
22 c. The number of administrative removal orders issued by
23 immigration deportation officers each year, including both a
24 national total and totals broken down by IHP Hearing Site
25 and/or IHP Release Site.
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- 1 d. The number of reinstatements of prior removal orders issued by
2 immigration deportation officers each year, including both a
3 total and broken down by IHP Hearing Site and/or IHP Release
4 Site.
5
6 e. The number of judicial deportations (i.e. deportations ordered
7 by a U.S. district court judge pursuant to 8 U.S.C. § 1228(c))
8 ordered each year, including both a total and broken down by
9 IHP Hearing Site and/or IHP Release Site.
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11 f. Totals by fiscal year for each of the following IHP status and
12 outcomes recorded in SENTRY Case Management Activity
13 (CMA) Assignments: IHP PART- IHP Participate; IHP PEND-
14 IHP Pending; IHP CMPWDE- IHP Complete Will Deport
15 EOIR; IHP CMPWDI- IHP Complete Will Deport ICE; IHP
16 CMP WD- IHP Complete Will Deport; IHP CMP WD; IHP
17 DKT (including a definition of this code as well as data totals).
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19 g. Additionally, the Data Request asked for information and data
20 regarding other codes used in SENTRY database to track IHP
21 program participation and deportations.
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25 36. On November 7, 2019, Professor Eagly spoke with a DOJ
26 Government Information Specialist and confirmed that the Policies Request and
27

1 the Data Request did not seek the same information and should not be merged.
2 On that same date, BOP acknowledged receipt of both requests and assigned
3 request numbers 2020-00544 (Policies Request) and 2020-00734 (Data
4 Request). BOP claimed a ten-day extension of the twenty-day deadline to
5 respond to both requests pursuant to 8 U.S.C. § 552(a)(6)(B). *See* Exhibit C.
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8 37. On December 30, 2019, Professor Eagly sent two emails to
9 OGC_EFOIA@BOP.GOV, one regarding the Policies Request and one
10 regarding the Data Request, inquiring into the status of each request. *See*
11 Exhibit D.
12

13 38. On December 31, 2019, a BOP FOIA Specialist responded only to
14 the inquiry regarding the Data Request. The Specialist reported that the request
15 had been received and was being processed, but that due to the complex nature
16 of the request the Specialist was “unable to estimate a completion date.” *See*
17 Exhibit E.
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19 39. On February 19, 2020, Professor Eagly sent two emails to
20 OGC_EFOIA@BOP.GOV, one regarding the Policies Request and one
21 regarding the Data Request, inquiring into the status of each request. *See*
22 Exhibit F.
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24 40. On February 20, 2020, a BOP FOIA Specialist responded to both
25 email inquiries. With respect to the Policies Request, the Specialist reported that
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1 records had been received, but still needed to be processed, and that BOP was
2 “unable to estimate the time it will take to process and ultimately close your
3 request.” With respect to the Data Request, the Specialist reported that the BOP
4 FOIA office was still waiting for responsive records. *See* Exhibit G.
5

6 41. Defendants have failed to make any substantive response to
7 Plaintiff’s FOIA Requests.
8

9 42. Defendants have violated the applicable statutory time limit for
10 processing of FOIA Requests. Under 5 U.S.C. § 552(a)(6)(A) and (B),
11 Defendants were required to make a determination on the Policies Request
12 within thirty business days, or by December 11, 2019. Under 5 U.S.C. §
13 552(a)(6)(A) and (B), Defendants were required to make a determination on the
14 Data Request within thirty business days, or by December 26, 2019.
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17 43. Defendants have failed to conduct an adequate search or promptly
18 produce records and are unlawfully withholding responsive records.
19

20 44. Because Defendants have failed to respond to the FOIA Requests
21 within the applicable statutory period, any administrative remedies are deemed
22 exhausted. 5 U.S.C. § 552(a)(6)(C)(i).
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1 50. Defendants are obligated to produce responsive records promptly
2 under 5 U.S.C. § 552(a)(3)(A).
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4 51. Defendants have failed to promptly produce responsive records.

5 52. Defendants' failure to make a determination within the statutory
6 time frame and produce responsive records promptly violates 5 U.S.C. §
7
8 552(a)(3)(A), (a)(6)(A)(i), and (a)(6)(B)(i).

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff respectfully asks the Court to:

11
12 a. Order that Defendants conduct an adequate search for records
13 responsive to Plaintiff's FOIA Requests;

14
15 b. Order that Defendants make a determination and promptly produce
16 records responsive to Plaintiff's FOIA Requests as required by 5 U.S.C. §
17 552(a)(3)(A), (a)(6)(A)(i), and (a)(6)(B)(i);

18
19 c. Enjoin Defendants from improperly withholding records;

20
21 d. Declare that Defendants' failure to conduct an adequate search
22 violates 5 U.S.C. § 552(a)(3);

23
24 e. Declare that Defendants' failure to promptly produce records
25 responsive to Plaintiff's FOIA Requests violates 5 U.S.C. § 552(a)(3)(A),
26 (a)(6)(A)(i) and (a)(6)(B)(i);
27

1 f. Award Plaintiff reasonable attorneys' fees and other litigation costs
2 pursuant to 5 U.S.C. § 552(a)(4)(E) and any other applicable statute or
3 regulation; and
4

5 g. Grant such other relief as the Court may deem just, equitable, and
6 appropriate.
7

8 Respectfully submitted,

9 Dated: September 30, 2020

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* *Application for admission pro hac vice
forthcoming*