

PRACTICE ADVISORY

Guide to Obtaining Detention Records



This guide provides:

1.

A brief overview of FOIA requirements

2.

Information about the types of records government agencies possess

3.

How to request those records

4.

What to expect after submitting your request

If you have been held in an immigration detention facility, you have a right to the government records about your detention. Those records can help you learn more about what happened when you were detained and what you experienced, including abusive treatment, difficulty accessing an attorney, and lack of medical care.

These government records also may be helpful to support a legal claim or complaint against the agency that detained you and can help advocates working for changes in the immigration detention system.

One way to obtain government information is through a Freedom of Information Act (FOIA)

request to a government agency. The purpose of FOIA is to promote open, transparent government.¹ However, it is still difficult to obtain information from immigration enforcement agencies such as U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP)—agencies within the U.S. Department of Homeland Security (DHS).

Government agencies must follow certain rules under FOIA. After you submit a FOIA, the agencies must respond to your requests within a certain amount of time, conduct a reasonable search for the documents, and share those documents with you—the FOIA “requester.”

A Brief Overview of FOIA Requirements

Can I Request Records Through FOIA?

Yes! Anyone may request records from government agencies.² Any person, regardless of their immigration status, may request information from immigration agencies. This includes agencies that operate detention facilities, such as ICE and CBP and offices with oversight over ICE and CBP, such as the DHS Office for Civil Rights and Civil Liberties (CRCL).

What Parts of the Government Must Respond to FOIA?

FOIA applies to federal agencies.³ FOIA covers all federal agency records, meaning all federal agencies must reply to a FOIA request. Any records held by ICE or CBP about your detention will be available through FOIA. It also may be possible to seek information through state open records laws.⁴

You may submit a FOIA request through the mail or through an online portal. Each agency provides information about methods for submitting FOIA requests. *See* Section 3, *How to Request Records*.

If you have any trouble obtaining documents through FOIA, you can reach out to the agency's FOIA office directly, the DHS Public liaison,⁵ or the Office of Government Information Services.⁶

Immigration Agencies & Types of Detention Records

Which Enforcement Agencies Will Have Records about my Detention?

There are two main agencies that detain immigrants in the United States: CBP and ICE. Both of these agencies have facilities to hold immigrants.⁷ ICE runs its own facilities, and also contracts with local and state facilities or private prison companies to detain immigrants.⁸ CBP operates detention facilities near the border where it detains adults, children and families deemed “inadmissible.” Although both CBP and ICE are immigration law enforcement agencies, each plays a different role.



U.S. Customs and Border Protection (CBP) generally is the first agency you encounter when you enter the United States.

CBP primarily operates along the border and at ports of entry to monitor U.S. citizens and foreign nationals entering and leaving the United States.⁹ CBP agents encounter people entering and leaving the U.S. by foot, by car, and by airplane. U.S. Border Patrol agents (who are part of CBP) monitor the U.S. border between ports of entry and generally encounter people entering the United States in those locations.¹⁰

CBP detains all individuals apprehended between ports of entry or deemed inadmissible at a port of entry. Most of the people detained by Border Patrol or Office of Field Operation (OFO) are at or near the border, but some who enter the United States through an airport may be detained as well.¹¹ Although U.S. standards require that CBP not detain immigrants for longer than 72 hours, sometimes “short-term” detention can last longer.¹²

*On average, ICE detains individuals for **55 days.***

U.S. Immigration and Customs Enforcement (ICE) is the agency you encounter within the United States.¹³

ICE detains immigrants after they leave CBP custody.¹⁴ Immigrants initially held by CBP can be transferred to ICE detention. ICE also arrests and detains immigrants already inside the United States.¹⁵ Additionally, ICE is the agency responsible for deporting immigrants after receiving their order of removal from an Immigration Judge.¹⁶

The length of detention in ICE custody varies. Generally, the government cannot hold families in detention facilities for more than 20 days.¹⁷ However, the government frequently has failed to follow this policy.¹⁸ For individual adults, the length of detention is more difficult to estimate. On average, ICE detains individuals for 55 days, but there is no maximum length of time someone can be detained by ICE.¹⁹ ICE detains many immigrants throughout the entirety of their removal (deportation) cases in front of the Immigration Court, which can take many months or years to complete.²⁰

Which Oversight Agencies Have Records about My Detention?²¹

Immigrants frequently are victims of neglect, verbal abuse, physical abuse, and inhumane conditions while in detention.²² DHS is responsible for reviewing and investigating misconduct within ICE and CBP. Several offices within DHS investigate complaints and grievances filed by detained individuals. Among them are the Office of Inspector General (OIG), the Office of Civil Rights and Civil Liberties (CRCL), and the Office of the Immigration Detention Ombudsman (OIDO). In addition, ICE and CBP each have an Office of Professional Responsibility which investigates allegations of misconduct and helps ensure each agency's compliance with relevant standards.²³

The Office of Inspector General (OIG) oversees and investigates misconduct by CBP and ICE personnel.²⁴

You can submit an individual complaint to OIG about your experience in CBP or ICE detention, or about the experience of others.²⁵ You can choose to remain anonymous or to disclose your identity. Moreover, because ICE contracts with state and private entities, you may file a complaint with OIG even if the facility in which you were detained was not run by ICE, but was a facility that contracted with ICE. If the OIG investigates your complaint, the results of the investigation will not be shared with you.²⁶ OIG only will provide information in response to a FOIA request when an investigation is closed.²⁷

The Office for Civil Rights and Civil Liberties (CRCL) investigates civil liberties and civil rights complaints.²⁸

CRCL investigates complaints about agency policies or actions that impact the civil rights and civil liberties of individuals held in ICE and CBP detention facilities.²⁹ CRCL offers language services to those interested in filing a complaint.³⁰

The Office of the Immigration Detention Ombudsman (OIDO) reviews complaints about immigration detention.

OIDO has oversight over ICE and CBP detention facilities and is independent of both agencies. It reviews complaints about “misconduct, excessive force, violation of an individual detainee’s rights, and/or violations of law, standards of professional conduct, contract terms, or policy related to immigration detention” committed by DHS employees or contractors.³¹ OIDO works to communicate the results of its investigation directly to the person who filed a complaint. If you are satisfied with the information received in response to a complaint, a FOIA for additional information may not be necessary.

What Types of Records Related to Detention Can You Obtain from Government Agencies?

Advocates are still learning what records agencies keep about detained individuals. The following are some categories of records that agencies maintain:

1.

Oversight Documents.

Documents regarding investigations by oversight offices such as OIG or CRCL into poor detention conditions and abusive treatment of detainees.

2.

Records Recording Mistreatment and Poor Conditions at a Detention Facility.

Complaints, grievances, and other information about (1) lack of access to legal counsel; (2) lack of access to or substandard medical care, medicine, and food; (3) physical, sexual, or verbal abuse or mistreatment; and (4) use of force, chemical agents, including pepper spray, rubber bullets, and/or use of retaliation or crowd control.

3.

Records about Solitary Confinement.

Information about an individual's placement in "segregated housing"—i.e., solitary confinement. These records may contain the reasons for placement in solitary confinement, length of confinement, and whether the detention facility complied with detention standards.

4.

Video Recordings.

Video recordings taken inside an ICE or CBP facility or by a recording device in another setting, including body cameras worn by agents.

5.

Records about Transfer from One Detention Facility to Another Facility.

Information including medical transfer summaries, transfer summaries, classification sheets, and charging documents.

6.

A Detention File.

The detention file should include disciplinary records, strip search forms and other documents such as staff reports about the individual's behavior.

7.

Medical Records.

Documents concerning illness and treatment, medical screenings, requests for treatment and mental health services.

8.

Communication.

Emails and texts among agency officials about a detained individual.

9.

Detainee Death Records

Documents regarding investigations by oversight offices such as OIG or CRCL into poor detention conditions and abusive treatment of detainees.

How to Request Records

Where to Submit Your FOIA Request

When deciding where to submit your FOIA request, you should consider (1) which DHS agency detained you, (2) where you were detained, and (3) what type of records you seek. While the U.S. immigration detention system is a complicated web of private, state, and federal actors, this guide will focus on the following DHS agencies and offices:

- U.S. Customs and Border Protection (CBP);
- U.S. Immigration and Customs Enforcement (ICE);
- the Office for Civil Rights and Civil Liberties (CRCL); and
- the Office of Inspector General (OIG).

CBP or ICE?

You may have interacted with one or both agencies. If you do not know where you were detained, consider the following:

- If you were detained for approximately 72 hours or less shortly after crossing the border or arriving at a port of entry, you **likely were detained by CBP**.³²
- If you were detained for a longer period after being picked up by immigration enforcement and placed in deportation proceedings, you **likely were detained by ICE**.

- If you were picked up by immigration officials after completing your criminal sentence, you **likely were detained by ICE**.
- If you were briefly detained after crossing the border or arriving at an airport, but later were transferred to another detention facility, you **likely were detained by both (CBP then ICE)**.

If you are unsure about which agency detained you, you should consider filing FOIA requests with both ICE and CBP to ensure you receive all records about your detention.

Where Were You Detained?

ICE provides a list of all its detention facilities [here](#). A list of CBP border stations can be found [here](#). If you can, it is helpful to list the name of the detention facility or facilities where you were detained.³³ However, you should not limit your search to specific facilities if you aren't sure where you were detained.



How to Submit Requests to Each Agency

You have different options when submitting a FOIA request. Although submitting a request through the on-line process or with a Form G-639 may be quicker, you may submit a letter by mail if you do

not want to disclose certain personal information about yourself.³⁴ If you are making your request by mail, you should include “Freedom of Information Act Request” on the front of your envelope.³⁵

Agency	Record Type	Request Submission Options
ICE	All record types listed	<ul style="list-style-type: none"> • ICE provides instructions for submitting FOIA requests online and by mail at https://www.ice.gov/foia • For online submissions, you must create a SecureRelease account at https://www.securerelease.us/ • For submissions by mail, you may send a letter describing the records you seek. You may include a Form G-639 or a request with a description of the records you seek with an accompanying affirmation/declaration form by mail to: <p style="margin-left: 40px;"><i>U.S. Immigration & Customs Enforcement 500 12th Street SW, Stop 5009 Washington, DC 20536-5009</i></p>
CBP	All record types listed	<ul style="list-style-type: none"> • CBP provides instructions for submitting FOIA requests online and by mail at https://www.cbp.gov/site-policy-notices/foia/records <p style="margin-left: 40px;">For online submissions, you must create a SecureRelease account at https://www.securerelease.us/</p> <ul style="list-style-type: none"> • For submission by mail, you may send a letter describing the records you seek with an accompanying statement verifying your identity. CBP does not have a specific form for this purpose, but you should provide your full name, current address, and date and place of birth and sign the request. You can either notarize the request or include the following statement under your signature: "I hereby declare or certify under penalty of perjury that the foregoing is true and correct." Send the request to: <p style="margin-left: 40px;"><i>U.S. Customs and Border Protection 90 K Street, NE Mail Stop 1181 FOIA Division Washington, DC 20229</i></p>

Agency	Record Type	Request Submission Options
CRCL	Records Recording Abuse or Mistreatment at a Detention Facility (e.g., past complaints)	<ul style="list-style-type: none"> CRCL provides information for submitting FOIA requests online and by mail at https://www.dhs.gov/foia-contact-information
	Oversight Documents	<p>For online submissions, you must create a SecureRelease account at https://www.securerelease.us/</p> <ul style="list-style-type: none"> For submissions by mail, you may send a letter describing the records you seek with an accompanying affirmation/declaration verifying your identity. CRCL does not have a specific form for this purpose, but you should provide your full name, current address, and date and place of birth and sign the request. You can either notarize the request or include the following statement under your signature: “I hereby declare or certify under penalty of perjury that the foregoing is true and correct.” <p>Send the request to:</p> <p><i>Office for Civil Rights and Civil Liberties, Mail Stop 0190 ATTN: CRCL FOIA Officer Department of Homeland Security 2707 Martin Luther King Jr. AVE SE Washington, DC 20528-065</i></p>
OIG	Records Recording Abuse or Mistreatment at a Detention Facility (e.g., past complaints)	<ul style="list-style-type: none"> OIG provides information for submitting FOIA requests online and by mail at https://www.oig.dhs.gov/foia/request For online submissions, you must create a DHS PAL account
	Oversight Documents	<ul style="list-style-type: none"> For submission by mail, you may send a letter describing the records you seek with an accompanying OIG certification of identity form. Send the request to: <p><i>FOIA Public Liaison DHS-OIG Counsel STOP 0305 245 Murray Lane, SW Washington, D.C. 20528-0305</i></p>

What Information Do You Need to Include in Your FOIA Request?

- Name
- "A-Number"
- Address or Email Address
- Phone Number
- Brief Description of Records Sought
- Fee Category
- Expedited Request
- Signature and Third-Party Release Statement

The online forms for agencies have required fields that you have to fill out. If you decide to write a letter, you are not required to submit as much identifying information. **You are only required to provide 1) your full name, 2) current address, 3) date and place of birth, and 4) a statement verifying your identity (with a notarized signature or signature accompanied by a perjury statement).** Listed below are those requirements and some additional information, but DHS asks that you include:³⁶

- 1. Your Name.** List your full legal name, including your first name(s), middle name(s), and surname(s). If you have more than one surname, you should list each surname. There may be circumstances in which you want to include additional names in your FOIA request. For instance, if you have married since you were detained and have taken your spouse's last name, you should list both your full married name and your full name prior to the marriage.

If immigration officials misspelled your name on any immigration paperwork, such as the Notice to Appear (NTA) to your immigration hearing, then you should provide both your full legal name, correctly spelled, and your name, as written by the immigration official. If you provided an alias to immigration officials while detained, you will have to decide whether to include that alias in your FOIA request. There may be consequences for filing a FOIA request that reveals your alias. If you provided an alias and would like copy of your detention records, it is recommended that you speak with a legal representative about the risks of filing a FOIA request.

- 2. Your Alien Registration Number or “A-Number.”** Your A-Number is commonly listed on documents such as your NTA or immigration court hearing notice, and other documents regarding your detention. If you do not know your A-number, you can submit the FOIA request without it. If no records of your detention are discovered, you may consider sending a separate FOIA request to the Office of Biometrics Identity Management (OBIM) with a copy of your fingerprints, using fingerprint card FD-258, which can be done at a local fingerprint agency.³⁷
- 3. Address or Email Address.** The address or email address provided in a FOIA request is the location where your records will be sent; it does not need to be the address where you live. The address provided should ideally be a secure location to which you freely have access, to best protect your privacy. It is recommended that you routinely check your mail, so you don’t miss any documents from the government.
- 4. Brief Description of Records Sought.** It is important to describe the records you seek to the best of your ability. Providing document titles, relevant dates, individuals involved, and other details about the records will help the agency narrow its search and hopefully respond to your request more quickly.
- 5. Fee Category.** If you are requesting information about your detention, you are an “individual requester.” If the agency thinks fees will exceed \$25, the agency will notify you.³⁸ There are fee waivers, although typically these
- apply to news media, educational institutions, or nonprofit organizations.³⁹ If the agency does not respond to your FOIA request within 20 or 30 days (if the agency requests a 10-day extension), the agency may not charge any fee.
- 6. Expedited Request.** If you need information quickly to prepare for a hearing or upcoming court date, you can ask the agency to expedite your request. It is not easy to meet the standards for an expedited request, but you can argue that, if the records are not received quickly, there will be 1) “an imminent threat to [your] life or physical safety,” or 2) a “loss of substantial due process rights.” One argument you can make is that you need the records to prepare an immigration case within a certain period or you will be deported to a country where you fear for your life. Very few expedited requests are granted.
- 7. Signature and third-party release statement.** Every FOIA request must contain a signature by the person requesting the information. The signature must be notarized or accompanied by a perjury statement. When you sign a perjury statement, you swear that the information contained within the request is true. A third-party release statement is necessary if you are seeking personal records about someone else. If you are requesting documents for a family member, provide evidence of the relationship between you and your family member (copy of marriage certificate, birth certificate, etc.).

What To Expect After Filing a FOIA Request

The agency will let you know when it has received your FOIA request.

You will receive what is known as an acknowledgment letter letting you know that the agency has received your FOIA request. You might receive your acknowledgment letter by mail, or through an online portal. If you do not receive an acknowledgment letter within a few days, you may need to pressure the agency by reaching out to the DHS Public Liaison⁴⁰ or the Office of Government Information Services.⁴¹

The agency should reach out to you if more information is needed.

So long as you (1) describe the requested records and (2) follow the agency's rules for submitting the request, the agency should provide the records to you.⁴² If the agency is uncertain about the records you request, an agency official should ask for more information and give you a chance to respond in greater detail.

The agency should respond to your request within 20 or 30 days.

All federal agencies are required to respond to a FOIA request within 20 business days (excluding Saturdays, Sundays, and legal holidays). The agency does not begin counting days until it receives the request⁴³ and often will say that it needs an additional 10 days to process the request.⁴⁴ An agency doesn't have to send you the documents you requested by the 20th business day, but it must (1) tell you if it will respond to your FOIA request; (2) provide the reasons for its decision to respond or not; and (3) inform you about the right to seek assistance from the FOIA Public Liaison of the agency.⁴⁵ If the agency denies your FOIA request, the agency must inform you of your right to appeal the decision and your right to seek assistance from the FOIA Public Liaison or the Office of Government Information Services.⁴⁶

While the law requires that agencies respond to FOIA requests within 20 or 30 business days, DHS agencies do not often meet this statutory deadline. Be prepared to wait several weeks or even months for a response, depending on the complexity of your request.

The agency must provide records relatively quickly after granting the request.⁴⁷

The agency does not have to provide your records within a specific timeframe, but generally, after the agency decides to reply to your request, it will begin to share records with you. If there are more than a few hundred pages, the agency likely will provide those records over a few months. These records may be provided by email or in the mail on a CD-ROM. You may ask the agency to provide the documents by email if you do not have a reliable mailing address. Additionally, when the agency provides your records, it may black out or “redact” certain words or even entire sections.⁴⁸ This is not always justified, and you can appeal these redactions. If possible, you should discuss your administrative appeal with a lawyer before you file so you may make the best arguments for why the agency should not apply exemptions to redact certain information. Be mindful of the appeal deadlines described below.

Appealing Your Request

If your request is denied or you feel the response you have received is inadequate, you may appeal your request.

ICE.

All appeals to ICE must be written and sent within 90 days of the date of ICE's FOIA response letter to the following address:⁴⁹

*Office of the Principal Legal Advisor
Government Information Law Division
500 12th Street S.W. Stop 5900
Washington, D.C. 20536-5900*

Write on both the front of the envelope and the appeal letter, "Freedom of Information Act Appeal."⁵⁰

You can also submit an appeal to ICE online if you have created a DHS PAL account.

CBP.

To appeal your FOIA response from CBP, you can submit an online appeal or send a written appeal within 90 days of the date of CBP's FOIA response letter to the following address:⁵¹

*U.S. Customs and Border Protection
FOIA Appeals, Policy and Litigation Branch
90 K Street
NE, Washington, D.C. 20229*

OIG & CRCL.

You should file an appeal of an OIG or CRCL directly with DHS.⁵² You must send your appeal, along with a copy of the FOIA response letter, within 90 days of your response letter to the following address:⁵³

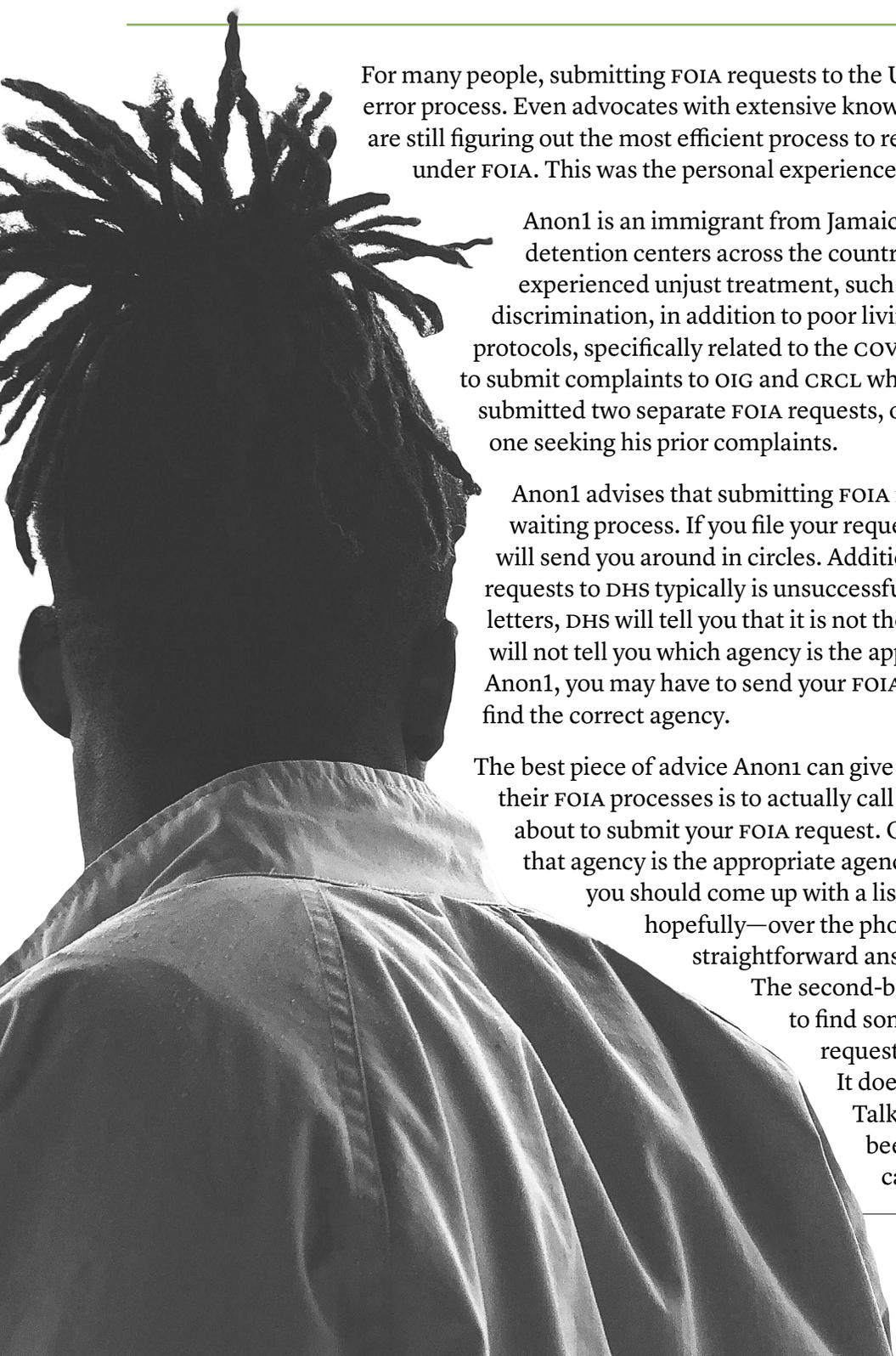
*Privacy Office, Attn: FOIA Appeals
Mail Stop 0655
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, D.C. 20528-065*

You should mark your envelope and letter with "FOIA Appeal." For OIG, you also may submit an appeal online if you have created a DHS PAL account.

If you are not satisfied with the agency's response to your appeal or receive no response to your FOIA request, you may go to federal court. It is important to seek legal advice from an attorney prior to pursuing any federal court case.

PERSONAL EXPERIENCES

Immigrants & Their FOIA Request Process



For many people, submitting FOIA requests to the U.S. government is a trial-and-error process. Even advocates with extensive knowledge of the immigration system are still figuring out the most efficient process to request detention-related records under FOIA. This was the personal experience Anon1 had as well.

Anon1 is an immigrant from Jamaica. He was detained in various detention centers across the country. While in detention, he experienced unjust treatment, such as solitary confinement and discrimination, in addition to poor living conditions and health protocols, specifically related to the COVID-19 outbreak. Anon1 began to submit complaints to OIG and CRCL while in detention. Eventually, he submitted two separate FOIA requests, one seeking medical records and one seeking his prior complaints.

Anon1 advises that submitting FOIA requests comes with a long waiting process. If you file your request with the wrong agency, they will send you around in circles. Additionally, sending general FOIA requests to DHS typically is unsuccessful because, in their FOIA response letters, DHS will tell you that it is not the appropriate agency, but they will not tell you which agency is the appropriate one. According to Anon1, you may have to send your FOIA request several times before you find the correct agency.

The best piece of advice Anon1 can give other immigrants just beginning their FOIA processes is to actually call the agency to which you are about to submit your FOIA request. Over the phone, you can ask if that agency is the appropriate agency to submit your request. He says you should come up with a list of questions beforehand, and hopefully—over the phone—you will be able to get more straightforward answers than you would in writing.

The second-best piece of advice from Anon1 is to find someone who has submitted a FOIA request before to help you with yours!

It does not have to be an attorney.

Talking to other immigrants who have been through the process already can also help.

[Date]

[Freedom of Information Act Officer

Name of Agency

Address of Agency

City, State, Zip Code]

Re: FOIA Request for Records Related to [enter brief description of records you seek]

Dear Freedom of Information Act Officer:

I submit this Freedom of Information Act (“FOIA”) request, pursuant to 5 U.S.C. Section 552, for records regarding [enter brief description of records requested]. If [name of agency] fails to comply with a statutory deadline for responding and no unusual or exceptional circumstances (as defined in 5 U.S.C. § 552(a)(6)(B) and (C)) excuse this delay, the agency may not charge any fee.

I seek records that were prepared, received, transmitted, collected, and/or maintained by [name of DHS Agency] as described below. I seek the following records:

[Describe the records/information you seek to the best of your ability. It helps to include the title of any document you seek, if you know it, or if not, the names of any people, places, or dates relevant to the records].

In accordance with 5 U.S.C. § 552(a)(6)(A)(i), I expect a response to this request within 20 working days, unless otherwise permitted by statute.

Thank you in advance,

[Your name

Your address

Daytime phone number

Fax number

E-mail address]

Endnotes

1. *Dep't of Air Force v. Rose*, 425 U.S. 352, 372 (1976) (noting that the basic purpose of FOIA was “to open agency action to the light of public scrutiny”) (internal citations omitted).
2. 5 U.S.C. § 551(2); See also U.S. Department of Justice, Office of Information Policy, “What is the FOIA,” last visited July 26, 2022, <https://www.foia.gov/faq.html> (“Generally any person - United States citizen or not - can make a FOIA request.”)
3. See 5 U.S.C. § 551(1) (defining “agencies” under FOIA). An “agency” includes any executive department, military department, government corporation, government-controlled corporation, or other institution within the executive branch of the U.S. Government (including the Executive Office of the President), or any independent regulatory agency. 5 U.S.C. § 552(f); see 5 U.S.C. § 551(1).
4. This guide does not include the process for requesting records through a state records request. See Detention Watch Network (DWN) and National Immigrant Justice Center (NIJC), “State and Local Records Request Resources & Template,” June 2022, <https://immigrantjustice.org/sites/default/files/uploaded-files/no-content-type/2022-06/NIJC-DWN-guide-state-local-records-requests-2022.pdf> (providing information about how to request records from state and local entities about immigrant facility contracts and conditions).
5. U.S. Department of Homeland Security, “FOIA Contact Information,” last visited September 2022, <https://www.dhs.gov/foia-contact-information> (listing DHS contact email and the name of the current public liaison).
6. National Archives, Office of Government Information Services, “Request OGIS Assistance,” last visited September 2022, <https://www.archives.gov/ogis/mediation-program/request-assistance> (overview of steps to take to request OGIS involvement in resolving a dispute between FOIA requesters and Federal agencies).
7. American Immigration Council, “Immigration Detention in the United States by Agency,” January 2020, 1, https://www.americanimmigrationcouncil.org/sites/default/files/research/immigration_detention_in_the_united_states_by_agency.pdf. A separate agency, the Office of Refugee Resettlement (ORR), is in charge of housing unaccompanied minors. Unaccompanied children are transferred to ORR after being apprehended CBP. There is a different process for requesting documents from ORR, which is not addressed in this guide.
8. *Ibid.*, 3.
9. *Ibid.*, 1.
10. *Ibid.*
11. National Immigrant Justice Center (NIJC), “Toolkit: Immigration Detention Oversight and Accountability,” May 22, 2019, <https://www.immigrantjustice.org/research-items/toolkit-immigration-detention-oversight-and-accountability>.
12. American Immigration Council, “Immigration Detention in the United States by Agency,” January 2020, 2, https://www.americanimmigrationcouncil.org/sites/default/files/research/immigration_detention_in_the_united_states_by_agency.pdf.
13. *Ibid.*, 3.
14. *Ibid.*
15. *Ibid.*
16. *Ibid.*, 4.
17. *Ibid.*, 1.
18. *Ibid.*, 4.
19. *Ibid.*
20. *Ibid.*

21. For additional information about DHS detention oversight offices and processes for filing complaints, see American Immigration Council, “Oversight of Immigration Detention: An Overview,” May 16, 2022, https://www.americanimmigrationcouncil.org/sites/default/files/research/oversight_of_immigration_detention_an_overview.pdf.
22. *Ibid.*, 2, 4.
23. See U.S. Immigration and Customs Enforcement, “Office of Professional Responsibility,” last updated July 20, 2022, <https://www.ice.gov/about-ice/opr>; see also U.S. Customs and Border Protection, “Office of Professional Responsibility,” last modified May 27, 2022, <https://www.cbp.gov/about/leadership-organization/professional-responsibility>.
24. U.S. Department of Homeland Security, Office of Inspector General, “Frequently Asked Questions,” last visited June 22, 2022, <https://www.oig.dhs.gov/about/faqs>.
25. U.S. Department of Homeland Security, Office of Inspector General, “DHS OIG Hotline Complaint Form,” last visited June 30, 2022, <https://hotline.oig.dhs.gov/#step-1>.
26. U.S. Department of Homeland Security, Office of Inspector General, “Hotline,” last visited June 30, 2022, <https://www.oig.dhs.gov/hotline>.
27. *Ibid.*
28. U.S. Department of Homeland Security, “Office for Civil Rights and Civil Liberties,” last updated June 3, 2022, <https://dhs.gov/office-civil-rights-and-civil-liberties>.
29. *Ibid.*
30. *Ibid.*
31. Agency Information Collection Activities: Office of the Immigration Detention Ombudsman Intake Form, 86 Fed. Reg. 43671 (August 10, 2021), <https://www.federalregister.gov/d/2021-17002>.
32. American Immigration Council, “Immigration Detention in the United States by Agency,” January, 2020), 2, https://www.americanimmigrationcouncil.org/sites/default/files/research/immigration_detention_in_the_united_states_by_agency.pdf.
33. American Immigration Council, “Scrutinizing the Treatment and Conditions Black Immigrants Face in Detention,” May 2021), <https://www.americanimmigrationcouncil.org/FOIA/scrutinizing-treatment-and-conditions-black-immigrants-face-detention>.
34. Immigrant Legal Resource Center, *A Step-by-Step Guide to Completing ROIA Requests with DHS*, September 2020, 2, https://www.ilrc.org/sites/default/files/resources/a_step_by_step_guide_to_completing_foia_requests_with_dhs.pdf.
35. *Ibid.*, 6.
36. U.S. Department of Homeland Security, “Steps to File a FOIA Request,” last updated July 22, 2022, <https://www.dhs.gov/steps-file-foia>.
37. U.S. Department of Homeland Security, “FOIA Contact Information,” Office of Biometric Identity Management, last updated August 18, 2022, <https://www.dhs.gov/foia-contact-information>.
38. U.S. Department of Homeland Security, “FOIA Fee Structure and Waivers,” last accessed July 18, 2022, <https://www.dhs.gov/foia-fee-structure-and-waivers>.
39. Emily Willard, *How to FOIA: A guide to filing Freedom of Information Act Requests* (University of Washington: last accessed July 18, 2022), 14, <https://uw.pressbooks.pub/howtofoia/>.
40. U.S. Department of Homeland Security, “FOIA Contact Information,” last updated August 18, 2022, <https://www.dhs.gov/foia-contact-information> (listing DHS contact email and the name of the current public liaison).
41. National Archives, Office of Government Information Services, “Request OGIS Assistance,” last updated May 12, 2020, <https://www.archives.gov/ogis/mediation-program/request-assistance> (overview of steps to request OGIS involvement in resolving a dispute between FOIA requesters and Federal agencies).
42. 5 U.S.C. § 552(a)(3).
43. 5 U.S.C. § 552(a)(6)(A)(i).
44. 5 U.S.C. §§ 552(a)(6)(A)(i), (B)(i)(I)-(III).
45. *Ibid.*
46. *Ibid.*
47. 5 U.S.C. § 552(a)(6)(C)(i).
48. U.S. Department of Homeland Security, “How to Make FOIA Requests,” last updated August 16, 2021, <https://www.dhs.gov/dhs-foia-handbook>.
49. U.S. Immigration and Customs Enforcement, “Freedom of Information Act (FOIA),” last updated November 1, 2022, <https://www.ice.gov/foia>.
50. *Ibid.*

51. U.S. Customs and Border Protection, “Freedom of Information Act (FOIA) Frequently Asked Questions,” last modified July 18, 2022, <https://www.cbp.gov/site-policy-notices/foia/faq-foia>.
52. U.S. Department of Homeland Security, “How to Make FOIA Requests,” last updated August 16, 2021, <https://www.dhs.gov/dhs-foia-handbook>.
53. Ibid.