

March 5, 2026

SUBMITTED ELECTRONICALLY

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street SW, Stop 5009
Washington, DC 20536-5009



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

North Carolina

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Jenna Beckham
Board President

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U.S. Customs and Border Protection
Freedom of Information Act Office
90 K Street NE
Mail Stop 1181
Washington, D.C 20229

**Re: FOIA Request for Records Related to Immigration
Enforcement Activities in North Carolina**

Dear Freedom of Information Officer:

This letter is a request for records (“Request”) made pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *et seq.*, and the relevant implementing regulations, *see* 6 C.F.R. § 5 *et seq.* The Request is submitted by the American Civil Liberties Union of North Carolina Legal Foundation (“ACLU-NC”) (“Requestor”).

Requestor seeks the disclosure of records pertaining to the U.S. Immigration and Customs Enforcement’s (“ICE”) and the U.S. Customs and Border Protection (“CBP”) participation in the Department of Homeland Security’s (“DHS”) immigration enforcement operation in North Carolina.¹

Requester also seeks a fee waiver, pursuant to 5 U.S.C. § 552(a)(4)(A) and 6 C.F.R. § 5.11(k), and expedited processing, pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(d). The justifications for the fee waiver and expedited processing are set out in detail below.

¹ Homeland Security, *DHS Launches Operation Charlotte’s Web to Target Criminal Illegal Aliens Terrorizing Americans in Charlotte*, North Carolina, Nov. 15, 2025, <https://www.dhs.gov/news/2025/11/15/dhs-launches-operation-charlottes-web-target-criminal-illegal-aliens-terrorizing>.



I. Background

North Carolina, like many states, experienced increased immigration enforcement activity in 2025. In November 2025, DHS launched “Operation Charlotte’s Web”². The operation began in Charlotte, NC on November 15 and resulted in the arrest of more than 425 people by its conclusion³. Enforcement activity later expanded to central North Carolina, with agents reported in Raleigh, Durham, and Cary conducting immigration enforcement⁴. The operation may also have expanded to western North Carolina, as Asheville was identified as a potential target for⁵. The operation lasted several weeks and had substantial impacts not only on immigrant communities but also on United States citizens who were detained and arrested⁶.

II. Records Requested

This Request seeks, for the period from September 1, 2025 to the present, the following records:

1. All records concerning the planning, authorization, purpose, scope, duration, geographic focus, and objectives of immigration enforcement operations conducted in North Carolina.
2. All operational plans, directives, memoranda, and records identifying participating DHS components, including any coordination with state or local law enforcement agencies.
3. All records identifying deployment locations, targeted cities or regions, and the criteria used for site selection.
4. All records reflecting enforcement activity and outcomes, including the number of individuals stopped, questioned,

² *Id.*

³ Connor Lomis & Cassidy Johncox, *425+ arrested in ‘Operation Charlotte’s Web,’ federal officials say*, WBTV (Dec. 3, 2025), <https://www.wbtv.com/2025/12/03/425-arrested-operation-charlottes-web-federal-officials-say/>.

⁴ Jon Dowing & DeJuan Hoggard, *Customs and Border Protection agents conduct immigration enforcement in central NC*, ABC11 (Nov. 18, 2025), <https://abc11.com/post/immigration-agents-nc-customs-border-spotted-central-north-carolina-outside-businesses-other-places/18169876/>.

⁵ Will Hofmann, *Asheville ‘may be a targeted city’ as Border Patrol, ICE come to North Carolina, mayor says*, Asheville Citizens Times (Nov. 14, 2025), <https://www.citizen-times.com/story/news/local/2025/11/14/border-patrol-ice-may-target-asheville-nc-mayor-says/87278365007/>.

⁶ George Chidi, *‘I lose my liberty in that moment’: Charlotte shuts down as citizens and noncitizens alike face ICE arrests*, The Guardian (Nov. 20, 2025), <https://www.theguardian.com/us-news/2025/nov/20/charlotte-north-carolina-ice-raids>.



- arrested, detained, or transferred, and any demographic information collected.
5. All records identifying arrests of United States citizens, including all incident reports, use-of-force reports, complaints, internal investigations, or allegations of misconduct arising from the operation.
 6. All records identifying the location(s) where detainees were held for any amount of time, including official detention centers and unofficial or undisclosed locations.
 7. All internal and external communications referencing Operation Charlotte's Web or any other CBP or ICE enforcement actions taking place in North Carolina, including emails, text messages, instant messages, and communications with state or local officials, elected officials, courts, or the media
 8. All legal analyses, policy guidance, or memoranda governing enforcement actions taken during the operation, including records addressing authority to arrest or detain United States citizens.
 9. All public-facing materials, including press releases, talking points, and media advisories.
 10. All after-action reports, evaluations, assessments, or lessons-learned documents related to the operation, regardless of format.

Please construe this as an ongoing FOIA request, so that any records that come into possession of the agency prior to your final response to this FOIA Request should also be considered within the Request's scope.

For purposes of this Request, the terms listed below are defined as follows:

"DOCUMENTS" has the same scope used in Rule 34(a)(1) of the Federal Rules of Civil Procedure and shall encompass every writing or record of every type and description and every tangible thing that is or has been in the possession, custody, or control of the federal agency or agencies that are the subject of this request and their employees, to which they have access, or of which they have knowledge, including, but not limited to, newspaper articles, magazine articles, news articles, correspondence, letters, contracts, files, electronic mail, memoranda, stenographic notes, handwritten notes, drafts, studies, publications, books, pamphlets, catalogs, purchase orders, receipts, advertisements, direct mail solicitations, point-of-sale and point-of-purchase materials, notebooks, diaries, models, devices, pictures, photographs, films,



audiotapes, videotapes, computer records, voice recordings, maps, reports, surveys, minutes, data compilations, and statistical compilations, regardless of whether a particular DOCUMENT is privileged or confidential, and regardless of the form of storage (including, but not limited to, paper, microfiche, magnetic tape, magnetic disk (hard disk or floppy disk), CD-ROM, DVD, optical disk, or electronic storage device).

III. Fee Waiver Request

Requestor requests that any fees associated responding to its FOIA request be waived pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 6 C.F.R. § 5.11(k). Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 6 C.F.R. § 5.11(k), fees should be waived or reduced if disclosure is (1) in the public interest because it is “likely to contribute significantly to public understanding of the operations or activities of the government” and (2) “not primarily in the commercial interest of the requester.” Disclosure in this case meets both of these tests. Requestor also requests a waiver or reduction of fees on the grounds that it qualifies as “representative[s] of the news media” and the records are not sought for commercial use. *See* 5 U.S.C. § 552(a)(4)(A)(ii)(II); 6 C.F.R. § 5.11(d)(1).

A. Disclosure is in the public interest.

First, disclosure of the requested records is in the public interest because it is likely to contribute significantly to the public’s understanding of the operations and activities of the federal government. CBP and ICE enforcement activities conducted in North Carolina instill fear⁷ and left communities shaken and distressed. Families, friends, business owners, schools and faith communities were directly impacted by these operations and have a right to understand how immigration enforcement operations are being authorized and implemented in North Carolina. Disclosure is also in the public interest because North Carolinians have a direct stake in understanding the impact of this operation throughout the state.

The operation prompted significant concern and attention from Congress, state leadership, the media, and advocacy organizations. On November 14, 2025, Representative Alma S. Adams, Ph.D., of North

⁷ *Fear spreads as federal immigration crackdown in N.C. expands to Raleigh*, Associated Press (Nov. 18, 2025), <https://spectrumlocalnews.com/nc/charlotte/news/2025/11/19/border-patrol-nc-crackdown-raleigh#:~:text=The%20family%20businesses%20had%20scaled,a%20stain%20on%20our%20democracy.%E2%80%9D>.



Carolina’s 12th Congressional District, sent a letter to DHS Secretary Kristi Noem and CBP Commissioner Rodney Scott raising concerns about the impact of CBP operations on the Charlotte community.⁸ On November 25, 2025, Representative Adams sent a second letter to Secretary Noem demanding answers for CBP’s “disturbing actions” in Charlotte during “Operation Charlotte’s Web.”⁹

On November 21, 2025, North Carolina Governor Josh Stein also sent a letter to Secretary Noem expressing concern about tactics used by federal officers during “Operation Charlotte’s Web.”¹⁰ Governor Stein stated that “in too many instances in recent days in North Carolina, we have seen federal agents recklessly jeopardizing public safety and creating havoc in our communities,” and requested responses to twelve questions regarding the operation in order to protect public safety and keep North Carolinians informed.¹¹ Governor Stein further raised concerns about the lack of transparency and communication between federal officials and state and local governments regarding the operation.¹² The day prior, U.S. Senator for North Carolina Thom Tillis, while generally supportive of CBP presence, stated at a Senate Judiciary Committee hearing on November 20, 2025, “I want to make sure that Homeland Security can provide me with the definitive list of people who were detained, how long they were detained, whether or not they were released and, when property was damaged, whether or not they’ve been provided proper restitution... I want to make sure that we’re also orderly in the process of enforcing it [law and order].”¹³ Senator Tillis’ staff confirmed his office formally requested this information from DHS, reflecting concerns shared with Governor Stein.¹⁴

⁸ Adams House, *Rep. Adams Demands Answers on CBP Operations in Charlotte*, Press Release (Nov. 25, 2025), <https://adams.house.gov/media-center/press-releases/rep-adams-demands-answers-cbp-operations-charlotte>.

⁹ *Id.*

¹⁰ Spencer Chrisman, Connor Lomis & Chassidy Johncox, *North Carolina gov. sends letter to Homeland Security demanding answers about ‘Operation Charlotte’s Web’*, WBTV (Nov. 21, 2025), <https://www.wbtv.com/2025/11/21/north-carolina-governor-sends-letter-homeland-security-demanding-answers-about-operation-charlottes-web/>.

¹¹ *Id.*

¹² *Id.*

¹³ *Sen. Tillis seeks details on arrests made during ‘Operation Charlotte’s Web’*, WFAE (Nov. 21, 2025), <https://www.wfae.org/politics/2025-11-21/sen-tillis-seeks-details-on-arrests-made-during-operation-charlottes-web>.

¹⁴ Danielle Battaglia, *Thom Tillis wants answers from Homeland Security on Operation Charlotte’s Web*, The Raleigh News & Observer (Nov. 21, 2025), <https://www.newsobserver.com/news/politics-government/article312994707.html>.



On February 2, 2026, Senator Tillis sent a follow-up letter to DHS demanding greater transparency and accountability regarding immigration enforcement in North Carolina.¹⁵ He cited several incidents, including violent arrests of U.S. citizens by DHS agents, as examples of conduct that is eroding public confidence in these operations. He requested detailed information on encounter-level data and oversight, interagency coordination and command authority, apprehensions and releases, encounters involving U.S. citizens, property damage and related claims, training and constitutional compliance, use-of-force investigations, cooperation with local authorities, and entries into private residences. He set a March 2 response deadline, one day before Secretary Noem’s scheduled March 3 testimony before the Senate Judiciary Committee. When DHS failed to meet the deadline, Senator Tillis raised the issue during Secretary Noem’s testimony and stated that, effective that day, he would place a hold on en bloc nominations until he received a response. He further stated that if DHS failed to respond within two weeks, he would deny quorum and block committee markups until he received a response.¹⁶

Advocacy organizations in Charlotte and across the state, including Siembra NC and Action NC, as well as faith-based organizations such as the North Carolina Council of Churches, and non-profit organizations, including the Carolina Migrant Network, publicly opposed CBP’s presence and organized community trainings, protests, and support systems for immigrant communities during the enforcement actions.¹⁷

¹⁵ Thom Tillis, *Tillis Demands Accountability from DHS on Immigration Enforcement Operations*, Press Release (Feb. 3, 2026), <https://www.tillis.senate.gov/2026/2/tillis-demands-accountability-from-dhs-on-immigration-enforcement-operations>.

¹⁶ Eric Bazail-Emil, *Tillis threatens to hijack Senate business amid frustrations with Noem*, Politico (March 3, 2026), <https://www.politico.com/news/2026/03/03/tillis-ice-hijack-senate-business-noem-00808870>.

¹⁷ See, e.g. Ryan Oehrli, ‘*El pueblo salva al pueblo*’: How Carolina Migrant Network fought Border Patrol, The Charlotte Observer (Dec. 11, 2025), <https://www.charlotteobserver.com/news/local/crime/article313359698.html>; George Chidi, *Charlotte activists met the immigration crackdown with ‘bless your heart’ resistance*, The Guardian (Nov. 23, 2025), <https://www.theguardian.com/us-news/2025/nov/23/activists-immigration-charlotte-north-carolina>; Brian Gordon, *NC progressive faith leaders denounce Border Patrol actions in Triangle*, Charlotte, The News & Observer (Nov. 20, 2025), <https://www.newsobserver.com/news/local/article312999137.html>; Dalfred Jones, *Community groups train volunteers to monitor Border Patrol operations in Charlotte*, WBTV (Nov. 17, 2025), <https://www.wbtv.com/2025/11/18/community-groups-train-volunteers-monitor-border-patrol-operations-charlotte/>; Tradesha Woodard, *Advocates call on city leaders to act on Border Patrol as immigrant communities continue to*



The operation also received extensive national media coverage, including by CNN and other major outlets.¹⁸ The public attention was so significant that the granddaughter of E.B. White, author of *Charlotte's Web*, publicly criticized the operation, stating that her grandfather believed in the rule of law and due process and “certainly didn’t believe in masked men, in unmarked cars, raiding people’s homes and workplaces without IDs or summons.”¹⁹

Disclosure of the requested records will significantly contribute to the public’s understanding of what occurred in North Carolina and the scope, conduct, and impact of federal immigration enforcement activities carried out under “Operation Charlotte’s Web” and other recent federal immigration enforcement activities in the state.

B. *Disclosure is not primarily in the commercial interest of the Requestor.*

Second, Requestor is not filing this request to further a commercial interest. Requestor is a 501(c)(3) nonprofit organization and therefore has no commercial interest. Requestor intends to make any relevant information obtained through this FOIA available to the public.²⁰ Requestor publishes newsletters, news briefings, right-to-know handbooks, and other materials that are disseminated to the public. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, law students, and faculty, for no cost or for a nominal fee.

Requestor ACLU-NC publishes, analyzes, and disseminates information through its website, www.acluofnorthcarolina.org. The ACLU-NC regularly issues press releases to call attention to documents obtained through open records requests, as well as other breaking

remain on edge, WCNC Charlotte (Nov. 17, 2025), <https://www.wcnc.com/article/news/politics/immigration-news/advocates-city-leaders-border-patrol-immigrant-communities/275-db355258-3205-4ac6-93d0-ce41226481e1#:~:text=CHARLOTTE%2C%20N.C.%20%E2%80%94%20For%20days%2C,%2C%22%20Councilwoman%20Tiawana%20Brown%20said>.

¹⁸ See, e.g. *November 17, 2025 - North Carolina federal crackdown updates*, CNN (Nov. 18, 2025), <https://www.cnn.com/us/live-news/charlotte-north-carolina-chicago-immigration-11-17-25>.

¹⁹ *Granddaughter of ‘Charlotte’s Web’ Author Criticizes Use of Book Title in DHS Immigration Operation*, CNN (Nov. 17, 2025), <https://news.wttw.com/2025/11/17/granddaughter-charlotte-s-web-author-criticizes-use-book-title-dhs-immigration-operation#:~:text=White%20highlighted%20the%20message%20of,comment%20on%20Martha%20White's%20statement>.

²⁰ See 6 C.F.R. § 5.11(k)(1)(ii); 6 C.F.R. § 5.11(k)(3).

news,²¹ and ACLU of North Carolina attorneys are interviewed frequently for news stories about documents released through ACLU records requests. The ACLU of North Carolina also litigates to enforce the public's right to obtain records from governmental agencies.²² The ACLU of North Carolina publishes two newsletters each year that reach over 36,000 North Carolinians, along with regular updates to approximately 40,000 financial supporters, 18,000 Instagram followers, and 23,000 Facebook followers. It also distributes a quarterly business newsletter that reaches 255 local businesses. In sum, the records requested are not sought for commercial use and ACLU-NC plans to analyze, publish, and disseminate to the public the information gathered through this Request to the public at no cost.



C. Requestor also qualifies for a fee waiver because it is a representative of the news media and the records are not sought for commercial use.

Requestor is also entitled to a waiver of search fees on the grounds that it qualifies as “representative[s] of the news media” and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II). Requestor meets the statutory and regulatory definitions of “representative[s] of the news media” because it is an “entity that gathers information of potential interest to a segment of the

²¹ See, e.g., ACLU, *How We're Fighting for Gender Equity Nationwide*, News & Commentary (Mar. 27, 2024), <https://www.aclu.org/news/womens-rights/how-were-fighting-for-gender-equity-nationwide>; ACLU of North Carolina, *The Consequences of Cops in North Carolina Schools*, Press Release (Feb. 14, 2024), <https://www.acluofnorthcarolina.org/en/publications/consequences-cops-north-carolina-schools>; ACLU of North Carolina, *ACLU of North Carolina Files FOIA on Execution of Trump's Immigration Ban*, Press Release (Feb. 2, 2017), <https://www.acluofnorthcarolina.org/en/press-releases/aclu-north-carolina-files-foia-execution-trumps-immigration-ban>; ACLU of North Carolina, *ACLU, Americans United Ask Army to Provide Documents About Government Sponsored Religious Event at Fort Brag*, Press Release (Mar. 25, 2011), <https://www.acluofnorthcarolina.org/en/press-releases/aclu-americans-united-ask-army-provide-documents-about-government-sponsored-religious>;

²² See, e.g., Melissa Boughton, *ACLU report: NC court fines, fees create modern-day debtor's prison*, NC Newsline (Apr. 17, 2019), <https://ncnewsline.com/2019/04/17/aclu-report-nc-court-fines-fees-create-modern-day-debtors-prison/> (quoting ACLU of North Carolina staff attorney); Melissa Boughton, *Public records lawsuit dismissed after Boswell releases emails to constituent*, NC Newsline (July 26, 2018) <https://ncnewsline.com/briefs/public-records-lawsuit-dismissed-after-boswell-releases-emails-to-constituent> (quoting ACLU of North Carolina Legal Director); ACLU of North Carolina, *ACLU-NC Files Lawsuit Demanding Documents on Implementation of Trump Muslim Ban*, Press Release (Apr. 12, 2017), <https://www.acluofnorthcarolina.org/en/press-releases/aclu-nc-files-lawsuit-demanding-documents-implementation-trump-muslim-ban>.



public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.” 5 U.S.C. § 552(a)(4)(A)(ii)(III); *see also Nat’l Sec. Archive v. U.S. Dep’t of Def.*, 880 F.2d 1381, 1387 (D.C. Cir. 1989) (finding that an organization that gathers information, exercises editorial discretion in selecting and organizing documents, “devises indices and finding aids,” and “distributes the resulting work to the public” is a “representative of the news media” for purposes of the FOIA); *ACLU v. U.S. Dep’t of Justice*, 321 F. Supp. 2d 24, 30 n.5 (D.D.C. 2004) (finding non-profit public interest group to be “primarily engaged in disseminating information”).

Obtaining information about government activity, analyzing that information, and widely publishing and disseminating that information to the press and public are critical and substantial components of Requestor’s work and are among its primary activities. For example, the ACLU-NC regularly publishes two newsletters that report on and analyze civil liberties-related current events. The newsletters are disseminated to over 36,000 North Carolinians. The ACLU-NC also publishes regular updates and alerts via social media. These updates are broadcasted to 41,000 social media followers (members and non-members). The newsletters and social-media alerts often include descriptions and analysis of information obtained through Public Records or FOIA requests.

Requestor also regularly issues press releases to call attention to documents obtained through FOIA requests, as well as other breaking news,²³ and ACLU-NC attorneys are interviewed frequently for news stories about documents released through Public Records requests and FOIA requests.²⁴ Similarly, Requestor regularly publishes and disseminates reports that include a description and analysis of government documents obtained through FOIA requests.²⁵ This material is broadly circulated to the public and widely available to everyone for no cost or, sometimes, for a small fee.

In addition to its newsletter, ACLU-NC produces a podcast titled, *This Is How...*²⁶ ACLU-NC also provides “Know Your Rights” materials, toolkits, guides, and other educational resources to the public

²³ *See, e.g., supra*, note 17.

²⁴ *See, e.g., supra*, note 18.

²⁵ *See, e.g., supra*, note 17.

²⁶ ACLU of North Carolina, *This is How... Podcast*, YouTube, <https://www.youtube.com/@acluofnorthcarolina7331> (last visited Jan. 12, 2026).

about civil rights and civil liberties, and conducts Know Your Rights trainings in the community.²⁷

Underscoring this point, courts have found that other organizations whose mission, function, publishing, and public education activities are similar in kind to Requestor's are "representatives of the news media" as well. *See, e.g., Elec. Privacy Info. Ctr. v. U.S. Dep't of Def.*, 241 F. Supp. 2d 5, 10-15 (D.D.C. 2003) (finding non-profit public interest group that disseminated an electronic newsletter and published books was a "representative of the news media" for purposes of the FOIA); *Jud. Watch, Inc. v. U.S. Dep't of Just.*, 133 F. Supp. 2d 52, 53-54 (D.D.C. 2000) (finding Judicial Watch, self-described as a non-profit "public interest law firm," a news media requester).²⁸

As representatives of the news media, Requestor plans to analyze and disseminate to the public the information gathered through this Request. The records requested are not sought for commercial use. On account of these factors, fees associated with responding to FOIA requests are regularly waived for the ACLU as a "representative of the news media"²⁹ A fee waiver would fulfill Congress's legislative intent in amending FOIA.³⁰ Additionally, on account of these factors,³⁰ has not been charged fees associated with responding to FOIA requests on numerous occasions.³¹



²⁷ ACLU of North Carolina, *Know Your Rights*, <https://www.acluofnorthcarolina.org/en/kyr> (last visited Jan. 12, 2026).

²⁸ Courts have found organizations to be "representatives of the news media" even though they engage in litigation and lobbying activities beyond their dissemination of information and public education activities. *See, e.g., Elec. Privacy Info. Ctr.*, 241 F. Supp. 2d at 6; *Nat'l Sec. Archive*, 880 F.2d at 1387; *see also Leadership Conference on Civil Rights v. Gonzales*, 404 F. Supp. 2d 246, 260 (D.D.C. 2005); *Judicial Watch, Inc.*, 133 F. Supp. 2d at 53-54.

²⁹ For example, in May 2016, the FBI granted a fee-waiver request regarding a FOIA request submitted to the DOJ for documents related to Countering Violent Extremism Programs. In April 2013, the National Security Division of the DOJ granted a fee-waiver request with respect to a request for documents relating to the FISA Amendments Act. Also in April 2013, the DOJ granted a fee-waiver request regarding a FOIA request for documents related to "national security letters" issued under the Electronic Communications Privacy Act. In August 2013, the FBI granted the fee-waiver request related to the same FOIA request issued to the DOJ.

³¹ For example, in August 2016, the ICE FOIA Office and DHS Privacy Office both granted fee waivers to the ACLU for a FOIA request seeking a DHS OIG supermemorandum and ICE's response to that memorandum. Similarly, in March 2016, the ICE Office of the Principal Legal Advisor granted a fee waiver to the ACLU for a FOIA request seeking records about selected deaths in detention, reversing an incorrect denial of a fee waiver by the ICE FOIA Office. In July 2015, the ICE Office of the



In sum, because disclosure of the requested documents is in the public interest and not primarily in the commercial interest of the Requestor, and Requestor is a representative of the news media, Requestor is entitled to a total waiver of fees associated with this Request and should not be required to pay more than reasonable standard charges for document duplication. In the event that you decide not to waive the fees, please provide us with prior notice so that we can discuss arrangements.

IV. Expedited Processing Request

Requestor requests expedited processing of this Request pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e). There is a “compelling need” for these records, as defined in the statute, because the information requested is “urgen[tly]” needed by an organization primarily engaged in disseminating information “to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v)(II); *see also* 6 C.F.R. § 5.5(e)(1)(ii).

A. Requestor is an organization primarily engaged in disseminating information in order to inform the public about actual or alleged government activity.

Requestor is “primarily engaged in disseminating information” within the meaning of the statute. 5 U.S.C. § 552(a)(6)(E)(v)(II). As detailed *supra*, Requestor has the ability and intention to widely disseminate the requested information through a variety of sources, including reports, newsletters, news briefings, right-to-know handbooks, and other materials, to the public at no cost. Indeed, obtaining information about government activity, analyzing that information, and widely publishing and disseminating that information to the press and public are critical and substantial components of Requestor’s work and are among its primary activities. *See ACLU*, 321 F. Supp. 2d at 29 n.5 (finding non-profit public interest group that “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience” to be “primarily engaged in disseminating information”).³²

Principal Legal Advisor granted a fee waiver to the ACLU for a FOIA request seeking records about the use of segregation in ICE detention, reversing an incorrect denial of a fee waiver by the ICE FOIA Office.

³² Courts have found that the ACLU as well as other organizations with similar missions that engage in information-dissemination activities similar to the ACLU are “primarily engaged in disseminating information.” *See, e.g., Leadership Conference on Civil Rights*, 404 F. Supp. 2d at 260; *ACLU*, 321 F. Supp. 2d at 29 n.5; *Elec. Privacy Info. Ctr.*, 241 F. Supp. 2d at 11.

Moreover, as mentioned *supra*, Requestor intends to distribute the information obtained through this FOIA request via its website and/or other means available to it.

B. *The records sought are urgently needed to inform the public about actual or alleged government activity.*

The requested records are also urgently needed to inform the public about actual or alleged government activity. *See* 5 U.S.C. § 552(a)(6)(E)(v)(II). Specifically, the requested records pertain to ICE and CBP's enforcement operation in North Carolina. The operation had a substantial impact not only on immigrant communities but also on United States citizens who were unlawfully detained, arrested, and in some cases assaulted.³³

I, Jaclyn Maffetore, affirm that the information provided supporting the request for expedited processing is true and correct to the best of my knowledge and belief. *See* 5 U.S.C. § 552(a)(6)(E)(vi) and 6 C.F.R. § 5.5(e)(3).

Thank you for your prompt attention to this Request. We look forward to your reply to this Request within ten (10) business days, as required under 5 U.S.C. § 552(a)(6)(E)(ii) and 6 C.F.R. § 5.5(e)(4).

Please furnish all responsive records to:

Jaclyn Maffetore
P.O. Box 28004
Raleigh, NC 27611
jmaffetore@acluofnc.org

If this Request is denied in whole or part, we ask that you justify all deletions by reference to specific exemptions of the FOIA. We expect the release of all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any information, or to deny a waiver of fees. Please email or call me at the contact information above if you have any questions or wish to obtain further information about the nature of the records in which we are interested.

³³ Nora O'Neill, *Border Patrol broke his window. Charlotte man says Trump admin got story wrong*, The Charlotte Observer (Nov. 18, 2025), <https://www.charlotteobserver.com/news/local/article312950879.html#storylink=cpy>.



Sincerely,

A handwritten signature in black ink, appearing to read 'JM', with a long horizontal flourish extending to the right.

Jaclyn Maffetore
Senior Staff Attorney
ACLU of North Carolina Legal Foundation

