

Exhibit 1

Will Craft
The Guardian U.S.
61 Broadway
New York, NY 10006

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office

November 17, 2025

VIA ONLINE FOIA PORTAL

RE: Freedom of Information Act Request

Dear FOIA Officer,

This letter constitutes a request under the federal Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), and is submitted on behalf of the Guardian U.S.¹ to United States Immigration and Customs Enforcement (“ICE”).

I. Requested Records

As noted in [Section 2.2 of the 2021 Pregnancy Directive](#), IHSC maintains records “regarding all individuals known to be pregnant, postpartum, and nursing detained in ICE custody”. Pursuant to the FOIA, I on behalf of the Guardian U.S., request access to and copies of the following:

1. Records relating to or embodying any amendments, modifications, additions, deletions, or other changes to the 2021 Pregnancy Directive.
2. Records, including communications, such as grievances and requests received by ICE from persons in ICE detention relating to pregnancy, postpartum, and lactation including medical and custody concerns related to pregnancy, postpartum, and lactating individuals.
3. From Fiscal Year 2025 to the date this request is fulfilled, any databases, spreadsheets, lists, and other data compilations reflecting the following:
 - a. The total number of individuals ICE has identified as pregnant while in ICE detention, broken down by month and detention facility;
 - b. The total number of incidents of miscarriages and live births in ICE detention broken down by detention facility;
 - c. For each person identified as pregnant, postpartum, and lactating in ICE detention, the following data:
 - i. The total time period they remained in ICE detention, including the initial date of detention, date of release and any transfers between detention facilities;
 - ii. For each person released from ICE detention, information indicating whether the person was released on a grant of parole, bond, recognizance,

¹ The Guardian U.S.’s legal entity is Guardian News & Media LLC.

- an order of supervision, and/or placed into an ICE alternative to detention program;
- iii. For each person who departed from the United States directly from ICE detention, information indicating whether the person departed on an order of voluntary departure, an expedited order of removal, reinstatement of prior removal order, final administrative removal order, or an order of removal entered by an Immigration Judge;
 - iv. Information indicating whether and the number of times each person was transferred to an external medical facility such as a hospital, emergency room or other medical care facility for medical care or treatment associated with the pregnancy and the date of such transfer.

Please provide all records responsive to this request in electronic format to will.craft@theguardian.com.

II. Fee Categorization and Request for Fee Waiver

As a member of the news media, the Guardian U.S. is only required to pay for the direct cost of duplication after the first 100 pages. 5 U.S.C. § 552(a)(4)(A)(ii)(II). This information is being used for news reporting and analysis that will be disseminated to the public through The Guardian U.S.'s publications, including its website² and social media accounts.³

Additionally, the Guardian U.S. requests a waiver of all fees associated with this request. A fee waiver is warranted when “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).

Here, the request is being used for newsgathering purposes. Information about the individuals in ICE detention will contribute greatly to the public’s understanding on how the government is operating. These documents will also inform the public on how federal deportation agents are interacting with particularly vulnerable detainee populations. The Government Accountability Office (GAO) found that between 2016 and 2018, ICE detained pregnant women more than 4,600 times⁴. The office of Senator Jon Ossoff published a report which found 14 credible accounts of pregnant women being mistreated in immigration detention.⁵ The US Senate Committee on the Judiciary found similar allegations of abuse within

² <https://www.theguardian.com/us>

³ See e.g. <https://bsky.app/profile/us.theguardian.com> (46.1k followers as of May 8, 2025); <https://www.facebook.com/GuardianUs/> (695k followers as of May 8, 2025); https://www.instagram.com/guardian_us/?hl=en (594k followers as of May 8, 2025).

⁴ <https://www.gao.gov/products/gao-20-330#:~:text=What%20GA>

⁵ https://www.ossoff.senate.gov/wp-content/uploads/2025/08/250721_Pregnancy_Report_v7.pdf

detention facilities as well.⁶ These allegations show that these documents represent significant public interest and concern.

The information is also not primarily in the commercial interest of the requester, instead it will serve as the basis for reporting for the public interest. The Guardian U.S. has extensively covered deportation in the United States, including stories about those who face deportation⁷ and the policies of the current administration.⁸ The Guardian U.S. also often utilizes public records and data obtained from public records as a basis for its reporting.⁹

In the event there are any fees for responding to this request, The Guardian U.S. is willing to pay up to \$25. Please inform me if the fees will exceed that amount before proceeding.

III. Expedited Processing

Due to the compelling need for the records, the Guardian U.S. is requesting expedited processing of this request. 5 U.S.C. § 552(a)(6)(E). The Guardian U.S. is primarily engaged with the dissemination of news. 5 U.S.C. § 552(a)(6)(E)(v)(II). There is a clear “urgency to inform the public concerning” the government activity. *Id.* These records “concern a matter of exceptional public importance and obvious . . . time-sensitivity.” *Open Society Justice Initiative v. Central Intelligence Agency*, 399 F.Supp.3d 161, 167 (S.D.N.Y. 2019) (finding that expedited processing was proper in cases in which the subject was “front page news” and is a “matter of intense interest among the public, legislators, other policymakers, and journalists.”).

The deportation practices of the current administration are of incredible importance to the American people, as evidenced by the vast amount of news reporting on the subject.¹⁰ Further, the deportation policy is changing every week in the United States, if not every day.¹¹ The

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<https://www.judiciary.senate.gov/imo/media/doc/SENATE%20JUDICIARY%20COMMITTEE%20RANKING%20MEMBER%20REVEALS%20DEVASTATING%20INSIGHTS%20INTO%20ICE%20DETENTION%20IN%20EXCLUSIVE%20SITE%20VISIT.pdf>

⁷ Joanna Walters, *Denied, Detained, Deported: The Faces of Trump’s Immigration Crackdown*, The Guardian U.S. (May 10, 2025)

<https://www.theguardian.com/us-news/2025/apr/28/trump-immigration-people-detained-deported-cases>.

⁸ Anna Betts, *Trump Administration Offers \$1,000 to Undocumented Immigrants to Leave US*, The Guardian U.S. (May 5, 2025) <https://www.theguardian.com/us-news/2025/may/05/trump-1000-dollars-undocumented-immigrants>.

⁹ See e.g. Oliver Laughland and Will Craft, *Trump Officials Increasingly Recruit Local Police for Immigration Enforcement Despite ‘Red Flags’*, The Guardian U.S. (Apr. 30, 2025)

<https://www.theguardian.com/us-news/ng-interactive/2025/apr/30/trump-local-police-immigration>; George Joseph, Will Craft, and Jessica Glenza, *‘Unlimited Dollars’: How an Indiana Hospital Chain Took Over a Region and Jacked Up Prices*, The Guardian U.S. (Oct. 17, 2024)

<https://www.theguardian.com/us-news/2024/oct/17/indiana-medical-debt-parkview-hospital>.

¹⁰ See *Daily Immigration News Clips – May 12, 2025*, American Immigration Lawyers Association (May 12, 2025)

<https://www.aila.org/library/daily-immigration-news-clips-may-12-2025> (listing 15 national news stories and two local news stories about immigration published on May 12, 2025); See *Daily Immigration News Clips – April 30, 2025*, American Immigration Lawyers Association (April 30, 2025)

<https://www.aila.org/library/daily-immigration-news-clips-april-30-2025> (listing 13 national news stories and four local news stories about immigration published on April 30, 2025).

¹¹ For example, on May 7, 2025, a U.S. official confirmed to NPR that the Trump administration is planning to start deportations to Libya. Kate Bartlett, *Trump Administration Plans to Deport Migrants to Libya*, NPR, (May 7, 2025) <https://www.npr.org/2025/05/07/nx-s1-5389739/libya-immigration-crackdown-trump-deportations>. Later that same day, a judge stated that deporting people to Libya would violate a prior court order. Phil Stewart, et al., *Swiftly*

conditions for individuals in ICE custody is also the subject of extensive reporting.¹² The records sought will provide information to the public about how the government is conducting interviews with people in ICE custody.

I certify that this information is true and correct to my knowledge and belief.

IV. Conclusion

If this request is denied in whole or in part, please justify all such denials by reference to specific exemptions and provide an explanation of why the government “reasonably foresees that disclosure would harm an interest” protected by that exemption or why “disclosure is prohibited by law[.]” 5 U.S.C. § 552(a)(8). Please also ensure all segregable portions of otherwise exempt material are released.

If you have any questions regarding this request, please do not hesitate to contact me via email at will.craft@theguardian.com.

Thank you in advance for your assistance in this matter.

Sincerely,

Will Craft
The Guardian U.S.
will.craft@theguardian.com.

Deporting Migrants to Libya Would Violate Court Order, US Judge Rules, Reuters, (May 7, 2025) <https://www.reuters.com/world/us/us-may-soon-deport-migrants-libya-military-flight-sources-say-2025-05-07/>.

¹² See e.g. Rachel Treisman, *Lawmakers Demand Answers After a Haitian Woman Dies at an ICE Detention Center*, NPR, (May 1, 2025) <https://www.npr.org/2025/05/01/nx-s1-5383108/haitian-woman-death-ice-detention>; Mike Ludwig, *3 People Die in ICE Custody in April as Conditions Worsen in Immigration Jails*, TruthOut, (May 4, 2025) <https://truthout.org/articles/3-people-die-in-ice-custody-in-april-as-conditions-worsen-in-immigration-jails/>.