EXHIBIT B

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Submission ID: 2634676

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Michele D. Holt, FOIA Public Liaison

Tim Nusraty, FOIA Officer
725 17th Street NW, Room 9272
Washington, DC 20503

OMBFOIA@omb.eop.gov

Request summary

Request submitted on**December 9, 2025**.

The confirmation ID for your request is **2634676**.

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Contact information

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Knight First Amendment Institute at Columbia University

Email
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Your request

We request all records and communications relating to OIRA's review of and decision regarding ICR Reference Number 201808-1405-009, titled "Electronic Application for Immigrant Visa and Alien Registration." The proposal was received in OIRA on August 30, 2018, and OIRA's review concluded on April 11, 2019. We ask that you disclose all segregable portions of otherwise exempt records. See 5 U.S.C. § 552(b). We also ask that you provide responsive electronic records in their native file format. See 5 U.S.C. § 552(a)

(3)(B). Alternatively, please provide the records electronically in a text-searchable, static-image format (e.g., PDF), in the best image quality in the agency's possession, and in separate, Bates-stamped files.

Fees

What type of requester are you?
educational

Fee waiver
yes

Fee waiver justification
The Knight Institute requests a waiver of document search, review, and duplication fees on the grounds that disclosure of the requested record is in the public interest and that disclosure is "likely to contribute significantly to the 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). Disclosure of the requested records would be in the public interest because they would help illuminate the decision to require disclosure of social media identifiers on State Department visa application forms, a requirement that the government is currently working to expand to a number of DHS forms. Moreover, disclosure would not further the Knight Institute's commercial interest. The Institute will make any information disclosed available to the public at no cost. Thus, a fee waiver would fulfill Congress's legislative intent in amending FOIA to ensure "that it be liberally construed in favor of waivers for noncommercial requesters." See Judicial Watch, Inc. v. Rossotti, 326 F.3d 1309, 1312 (D.C. Cir. 2003). The Knight First Amendment Institute at Columbia University requests a waiver of search and review fees on the grounds that it qualifies as an "educational . . . institution" whose purposes include "scholarly . . . research" and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II). The Institute has a substantial educational mission. Situated within a prominent academic research university, the Institute performs scholarly research on the application of the First Amendment in the digital era. The Institute's research program brings together academics and practitioners of different disciplines to study contemporary First Amendment issues and offer informed, non-partisan commentary and solutions. It publishes that commentary in many forms, including in scholarly publications and in short-form essays. The Knight Institute also requests a waiver of search and review fees on the grounds that it is a "representative of the news media" within the meaning of FOIA and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II). The Institute meets the statutory definition of a "representative of the news media" because it is an "entity that gathers information of potential interest to a segment of the 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); see also Nat'l Sec. Archive v. DOD, 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 FOIA); accord Serv. Women's Action Network v. DOD,

888 F. Supp. 2d 231 (D. Conn. 2012); ACLU of Wash. V. DOJ, No. C09-0642RSL, 2011 WL 887731, at *10 (W.D. Wash. Mar. 10, 2011); ACLU, 321 F. Supp. 2d at 30 n.5. Courts have found other non-profit organizations, whose mission of research and public education is similar to that of the Knight Institute, to be "representatives of the news media." See, e.g., Cause of Action v. IRS, No. 13-0920, 2015 WL 5120863 (D.C. Cir. Aug. 28, 2015); Elec. Privacy Info. Ctr., 241 F. Supp. 2d at 10–15 (finding non-profit group that disseminated an electronic newsletter and published books was a "representative of the news media" for purposes of the FOIA); Nat'l Sec. Archive, 880 F.2d at 1387; Judicial Watch, Inc. v. DOJ, 133 F. Supp. 2d 52, 53–54 (D.D.C. 2000) (finding Judicial Watch, self-described as a "public interest law firm," a news media requester). For these reasons, the Knight Institute is entitled to a fee waiver.

The amount of money you're willing to pay in fees, if any
$25

Request expedited processing

Expedited processing
no

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CONTACT

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