

U.S. Department of Homeland Security
500 12th St. SW; STOP 5009
Washington, D.C. 20536-5009



U.S. Immigration
and Customs
Enforcement

September 6, 2017

Zack Kopplin
Investigator and Outreach Associate
Government Accountability Project
832 Valence Street
New Orleans, LA 70115

RE: 2017-ICAP-00503, 2017-ICFO-40400

Dear Mr. Kopplin:

This is in response to your email dated August 8, 2017, received August 9, 2017, appealing the adverse determination in response to your Freedom of Information Act (FOIA) request, dated July 29, 2017, filed with U.S. Immigration and Customs Enforcement's (ICE). Your request sought any and all records in the EARM system showing a detainee, originally located in a facility administered by 24 ERO Field Offices—including Phoenix, Arizona; San Diego, California; San Francisco, California; Los Angeles, California; San Antonio, Texas; El Paso, Texas; Houston, Texas; Dallas, Texas; New Orleans, Louisiana; Baltimore, Maryland; Boston, Massachusetts; Denver, Colorado; Miami, Florida; Atlanta, Georgia; Chicago, Illinois; Detroit, Michigan; St. Paul, Minnesota; Newark, New Jersey; Buffalo, New York; New York, New York; Philadelphia, Pennsylvania; Salt Lake City, Utah; Washington D.C.; and Seattle, Washington—or any of the sub-offices, transferred to any other type of American detention facility, outside of ICE's direct control, including, but not limited to, jails, prisons, or other agencies. Your request also sought records, including, but not limited to, the I-216 and any charging documents or warrants, whether these documents are from a sheriff or police office or from a task force, including, but not limited to, the Joint Terrorism Task Force, the High Intensity Drug Trafficking Area Program, or the Transnational Anti-Gang Task Force, or from any other agency. Your request asked ICE FOIA to make sure to identify which facility the detainee was transferred to and on what date. Your request sought records dated from 7/28/16 until the present.

On August 7, 2017, the ICE FOIA Office advised you that “your request is too broad in scope, did not specifically identify the records which you are seeking, or only posed questions to the agency.” The ICE FOIA Office advised you to resubmit your request containing a reasonable description of the records you are seeking. You appealed the ICE FOIA Office's determination.

Upon a complete review of the administrative record, ICE has determined that new search(s) or, modifications to the existing search(s), could be made. Therefore, ICE is remanding your request to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents. The ICE FOIA Office will respond directly to you.

Exhibit L

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Should you have any questions regarding this appeal remand, please contact ICE at ice-foia@dhs.gov. In the subject line of the email, please include the word “appeal,” your appeal number, which is **2017-ICAP-00503**, and the FOIA case number, which is **2017-ICFO-40400**.

Sincerely,

A handwritten signature in blue ink that reads "Erin J. Clifford" with a stylized flourish underneath.

Erin J. Clifford
Chief

Government Information Law Division
ICE Office of the Principal Legal Advisor
U.S. Department of Homeland Security