

Exhibit A



July 17, 2018

Via Certified Mail and E-Mail

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009
ICE-FOIA@dhs.gov

Re: Freedom of Information Act Request Regarding Repatriation of Laotian Nationals

Dear FOIA Officer:

This letter is a request under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *et seq.*, submitted by Asian Americans Advancing Justice – Asian Law Caucus (“ALC”).

ALC seeks information regarding the repatriation of Laotian nationals who have been ordered removed from the United States. This information is of particular interest to ALC and its constituencies because if a repatriation agreement or policy exists, Laotian nationals under final orders of removal now face an elevated risk of being deported. The urgency of this FOIA request is underscored by the July 10, 2018 announcement by the Department of Homeland Security and the State Department regarding visa sanctions on Laos due to the Laotian government’s refusal to issue travel documents for removals.¹

ALC is a nonprofit, public interest organization that defends the legal, civil, and human rights of Asian and Pacific Islander (“API”) communities, with a focus on low-income and immigrant communities. ALC works to achieve its mission through (1) provision of direct legal services, (2) strategic impact litigation, and (3) community education and organizing. Accordingly, a major component of ALC’s work is to disseminate information of public interest both to API communities and to the broader public. We currently represent and provide legal consultations to a number of Laotian nationals.

¹ Press Release, Department of Homeland Security, DHS Announces Implementation of Visa Sanctions (July 10, 2018), <https://www.dhs.gov/news/2018/07/10/dhs-announces-implementation-visa-sanctions>.

Request for Records

1. With regards to the removal of Laotian nationals² from the United States to Laos, we seek any and all of the following documents dating from September 12, 2016 to the date on which your response to this request is prepared:
 - a. repatriation agreements with the government of Laos
 - b. memorandums of understanding with the government of Laos
 - c. policy statements
 - d. briefing materials
 - e. meeting schedules
 - f. meeting notes
 - g. drafts of any of the above documents

2. We seek the following data for any and all Laotian nationals removed from the United States from October 1, 2015 to the date on which your response to this request is prepared:
 - a. Date of birth
 - b. Date of initial entry into the United States
 - c. Charge of removability
 - d. Immigration status prior to removal order
 - e. Date of final removal order
 - f. Date of removal
 - g. Country removed to
 - h. Type of travel document used for removal
 - i. Date interviewed by Laotian government for travel document, if applicable
 - j. Date travel document issued by Laotian government, if applicable

Request for Fee Waiver

ALC seeks a waiver of document search, review, and duplication fees on the grounds that disclosure of the requested records is in the public interest and 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. § 522(a)(4)(A)(iii). This request meets the criteria for a fee waiver established by regulation:

- The request concerns “the operations or activities of the government”—specifically, ICE’s ability to repatriate Laotian nationals with final orders of removal. 6 C.F.R. § 5.11(k)(2)(i). The request is particularly timely and relevant in light of the United States’ recent announcement of visa sanctions on Laos.

² The term “Laotian nationals” in this request refers to individuals whom U.S. Immigration and Customs Enforcement considers to be nationals of Laos, regardless of whether the Laotian government recognizes them as nationals of Laos.



- Disclosure is “likely to contribute” to an understanding of government operations and activities because the records will reveal whether an agreement regarding repatriation currently exists between the governments of the United States and Laos, and whether ICE in practice has been able to obtain travel documents for the repatriation of Laotian nationals. 6 C.F.R. § 5.11(k)(2)(ii).
- Disclosure of the records will contribute to the understanding of “the public at large” because ALC intends to disseminate the information broadly. 6 C.F.R. § 5.11(k)(2)(iii). ALC regularly disseminates information regarding Southeast Asian deportation issues and other immigrant rights issues to the public through channels such as panel discussions,³ community forums,⁴ community alerts,⁵ written media,⁶ and Twitter.⁷
- The contribution to public understanding of government operations or activities will be “significant.” 6 C.F.R. § 5.11(k)(2)(iv). As of today, very little public information is available regarding the existence of a process for removals of Laotian nationals. While some data regarding the number of removals of Laotian nationals is available on U.S. Immigration and Customs Enforcement’s website,⁸ no information is available regarding the characteristics of the individuals removed. Therefore, the requested records will greatly enhance the public’s understanding of the repatriation process.
- As a nonprofit organization that educates the public at no charge, ALC has no commercial interest in this request. 6 C.F.R. § 5.11(k)(3)(i).
- As explained above, disclosure is not primarily in the commercial interest of ALC. 6 C.F.R. § 5.11(k)(3)(ii).

If the request is denied in whole or in part, please justify all redactions by reference to specific FOIA exemptions and release all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any information.

We look forward to receiving your response within twenty business days, as required under 5 U.S.C. § 552(a)(6)(A)(I).

Thank you in advance for your attention to this matter. Please direct all questions regarding this request to Kevin Lo by phone at 415-848-7716 or by email at kevinl@advancingjustice-alc.org.

If any records are available in electronic form, please provide them in electronic form.

Please mail all non-electronic records to:

³ See <https://www.aaba-bay.com/event-2750173>.

⁴ See <https://www.facebook.com/events/2053021911629691/>;
<https://www.facebook.com/events/187459665448282/>.

⁵ See <http://www.searac.org/take-action/immigration-campaigns-take-action/community-alert-cambodian-deportations-may-resume/>.

⁶ See <https://medium.com/alc-voices/its-been-two-weeks-since-the-largest-deportation-of-khmer-refugees-in-u-s-history-9dada90426ba>.

⁷ See https://twitter.com/aaaj_alc. ALC’s Twitter account has over 8,000 followers.

⁸ See <https://www.ice.gov/statistics>.



Kevin Lo
Asian Law Caucus
55 Columbus Avenue
San Francisco, CA 94111

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kevin Lo', with a horizontal line extending to the right.

Kevin Lo
Asian Law Caucus

