

September 11, 2019

By Email: ICE-FOIA@dhs.gov

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

Re: Freedom of Information Act Request

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and U.S. Department of Homeland Security (“DHS”) regulations.

Specifically, CREW requests the following:

1. Any contracts from September 1, 2018 to the present between ICE Office of Acquisition Management (OAQ) and LaSalle Corrections, including those pertaining to: (a) Catahoula Correctional Center; (b) River Correctional Center; (c) Richwood Correctional Center; (d) LaSalle Correctional Center; (e) Jackson Parish Correctional Center; or (f) Winn Correctional Center.
2. Any contracts or requisition requests from September 1, 2018 to the present between ICE Enforcement and Removal Operations (ERO) and LaSalle Corrections, including those pertaining to: (a) Catahoula Correctional Center; (b) River Correctional Center; (c) Richwood Correctional Center; (d) LaSalle Correctional Center; (e) Jackson Parish Correctional Center; or (f) Winn Correctional Center. Please include in your search any records regarding the contract requirements.
3. Any contracts from September 1, 2018 to the present between the ICE ERO New Orleans Field Office and LaSalle Corrections, including those pertaining to: (a) Catahoula Correctional Center; (b) River Correctional Center; (c) Richwood Correctional Center; (d) LaSalle Correctional Center; (e) Jackson Parish Correctional Center; or (f) Winn Correctional Center.
4. All communications from September 1, 2018 to the present pertaining to contracts for detention between ICE (OAQ), ICE (ERO) or ICE ERO New Orleans Field Office and LaSalle Corrections.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages,

voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records.

If it is your position any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. *See* 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. *See Mead Data Central v. U.S. Dep't of the Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and DHS regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. *See* 5 U.S.C. § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. *See, e.g., McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

In its bipartisan deal to reopen the government in February 2019, Congress instructed Immigrations and Customs Enforcement (ICE) to reduce its detention population.¹ However, since that month, ICE has been rapidly expanding its southern detention network by opening eight detention centers in Louisiana and Mississippi, all of which are run by private prison companies.² Six of those new facilities are run by LaSalle Corrections,³ a Louisiana-based company.⁴ After news broke regarding the first LaSalle-run prison opening without congressional approval, Senator Elizabeth Warren sent a letter to Acting Director Mark Morgan asking for the terms and conditions of the contracts with the facility. Senator Warren reportedly has yet to receive a response.⁵ Unlike other private prison companies whose long-standing

¹ Noah Lanard, ICE Just Quietly Opened Three New Detention Centers, Flouting Congress' Limit., Mother Jones, July 9, 2019, available at <https://www.motherjones.com/politics/2019/07/ice-just-quietly-opened-three-new-detention-centers-flouting-congress-limits/>.

² Noah Lanard, Congress Told ICE to Detain Fewer People. Instead it Keeps Adding Private Prisons., Mother Jones, August 22, 2019, available at <https://www.motherjones.com/politics/2019/08/congress-ice-louisiana-mississippi-private-prisons/>.

³ *Id.*

⁴ LaSalle Corrections, Locations, available at <http://www.lasallecorrections.com/our-locations/>.

⁵ Noah Lanard, Congress Told ICE to Detain Fewer People. Instead it Keeps Adding Private Prisons., Mother Jones, August 22, 2019, available at <https://www.motherjones.com/politics/2019/08/congress-ice-louisiana-mississippi-private-prisons/>.

contracting relationship with ICE is well known,⁶ LaSalle Corrections' connection to the agency seems to be new and little information about the relationship is publicly available.

The requested records are likely to contribute to public understanding of the details of the contracts, including the cost of operating these prisons and the points of contact between ICE and LaSalle corrections. The public has a great interest in ensuring that ICE abides by Congress' instructions and carries out contacts with the private sector responsibly.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org. The release of information obtained through this request is not in CREW's financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. *See Nat'l Sec. Archive v. U.S. Dep't of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a "representative of the news media" and broadly interpreting the term to include "any person or organization which regularly publishes or disseminates information to the public").

CREW routinely and systematically disseminates information to the public in several ways. CREW's website receives tens of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. In addition, CREW posts the documents it receives under the FOIA on its website.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at (202) 408-5565 or lwhite@citizensforethics.org. Also, if CREW's request for a fee waiver is not granted in full, please contact our office immediately upon making such a determination.

⁶ Rachel Layne, [Private prisons were supposed to thrive under Trump — then came a backlash..](https://www.cbsnews.com/news/private-prison-companies-were-supposed-to-thrive-under-trump-instead-theyre-under-fire/) CBS News, July 29, 2019, available at <https://www.cbsnews.com/news/private-prison-companies-were-supposed-to-thrive-under-trump-instead-theyre-under-fire/>.

ICE FOIA Officer
Immigration and Customs Enforcement
Page 4

Where possible, please produce records in electronic format. Please send the requested records to either the email listed above or Lauren White, Citizens for Responsibility and Ethics in Washington, 1101 K Street, N.W., Suite 201 Washington, D.C. 20005. Thank you for your assistance in this matter.

Sincerely,

Lauren White
Press Associate