

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NEW MEXICO IMMIGRANT LAW CENTER,

Plaintiff,

v.

Case No. 1:26-cv-03471

UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT,

Defendant.

DECLARATION OF EMMA O'SULLIVAN

I, Emma O'Sullivan, hereby declare:

1. My name is Emma O'Sullivan. I am an attorney licensed in the State of New Mexico. My Bar number is 149503.
2. I am one of the attorneys representing Plaintiff in the above-captioned matter.
3. Attached hereto as **Exhibit 1** is a true and correct copy of the Freedom of Information Act (FOIA) request submitted to U.S. Immigration and Customs Enforcement (ICE) by Plaintiff's counsel on Plaintiff's behalf, dated September 3, 2026.
4. Attached hereto as **Exhibit 2** is a true and correct copy of the SecureRelease Portal page for Plaintiff's successfully submitted FOIA request, accessed September 3, 2026.
5. Attached hereto as **Exhibit 3** is a true and correct copy of the clarification request letter from the ICE FOIA Office to Plaintiff's counsel regarding the FOIA request submitted on Plaintiff's behalf, dated September 8, 2026.
6. Attached hereto as **Exhibit 4** is a true and correct copy of Plaintiff's counsel's response to the ICE FOIA Office's clarification request letter, submitted by email, dated September 22, 2026.

7. Attached hereto as **Exhibit 5** is a true and correct copy of Plaintiff's counsel's response to the ICE FOIA Office's clarification request letter, submitted via SecureRelease portal, dated September 22, 2026.
8. Attached hereto as **Exhibit 6** is a true and correct copy of the email auto-response letter regarding the email transmission of Plaintiff's counsel's response to the ICE FOIA Office clarification request letter, dated September 22, 2026.
9. Attached hereto as **Exhibit 7** is a true and correct copy of the letter from the ICE FOIA Office acknowledging Plaintiff's FOIA request and denying Plaintiff's request for expedited processing.
10. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: October 16, 2026

A handwritten signature in blue ink, consisting of a large, stylized 'E' followed by a horizontal line extending to the right.

Emma O'Sullivan

Exhibit 1



September 3, 2026

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th St. SW, Stop 5009
Washington, DC 20536-5009

Submitted via Online Records Portal

RE: Freedom of Information Act Request

EXPEDITED PROCESSING REQUESTED

FEE WAIVER REQUESTED

To Whom It May Concern:

The American Civil Liberties Union of New Mexico (ACLU-NM) submits this request pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, on behalf of our client, the New Mexico Immigrant Law Center (NMILC), seeking the following records:

Requested Records

On behalf of NMILC, ACLU-NM hereby requests the following records¹ that are in the possession, custody, or control of U.S. Immigration and Customs Enforcement (“ICE”).

The requested records are for the time period of January 20, 2025, through the date of completion of this request.

- (1) Any and all contracts entered into between ICE and CoreCivic pursuant to the “Notice of Intent to Sole Source – Torrance and Cibola,” Notice ID NOI-70CDCR26R00000014,

¹ The term “records” as used herein includes all records or communications preserved in electronic or written form, including but not limited to correspondence, directives, documents, data, videotapes, audiotapes, e-mails, faxes, files, guidance, guidelines, standards, evaluations, instructions, analyses, memoranda, agreements, notes, orders, policies, procedures, protocols, reports, rules, technical manuals, training manuals, technical specifications, training materials or studies, including records kept in written form, or electronic format on computers and/or other electronic storage devices, electronic communications and/or videotapes, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations.

published by the U.S. Department of Homeland Security on March 10, 2026,² including modifications and amendments thereto.

This request is inclusive of any and all such contracts entered into between ICE and wholly-owned subsidiaries of CoreCivic, including TransCor.

This request is inclusive of any and all appendices and attachments to such contracts, including Performance Work Statements, Quality Control Plans, Quality Assurance Surveillance Plans, and Jail Cost Statements.

(2) All records referenced on the USASpending.gov webpage for the Indefinite Delivery / Indefinite Quantity (IDIQ) Contract awarded to CoreCivic, No. 70CDCR26D00000029,³ which took effect on May 1, 2026, including:

- a. IDIQ Contract No. 70CDCR26D00000029,⁴ including appendices, attachments, modifications, and amendments thereto;
- b. All “Child Award Orders” and all modifications and amendments thereto, including:
 - i. Delivery Order No. 15M40026FA3500020;⁵
 - ii. Delivery Order No. 70CDCR26FR0000060;⁶ and
 - iii. Delivery Order No. 70CDCR26FR0000058.⁷
- c. All delivery orders and task orders issued in relation to the above-referenced IDIQ contract.

(3) Any and all emails and email attachments relating to the “Notice of Intent to Sole Source – Torrance and Cibola,” Notice ID NOI-70CDCR26R00000014, published by the U.S. Department of Homeland Security on March 10, 2026.⁸

(4) Any and all records, including written justifications and approvals, created pursuant to FAR 6.303-1, 6.303-2, and/or 6.304, in relation to the “Notice of Intent to Sole Source – Torrance and Cibola,” Notice ID NOI-70CDCR26R00000014, published by the U.S. Department of Homeland Security on March 10, 2026.⁹

² SAM.GOV, “Notice of Intent to Sole Source – Torrance and Cibola” (Mar. 10, 2026), <https://sam.gov/workspace/contract/opp/ee796eb2d09b4216a30f6b15d9dd4a8d/view>.

³ USASPENDING.GOV, “Indefinite Delivery / Indefinite Quantity (IDIQ) Contract: PIID 70CDCR26D00000029,” https://www.usaspending.gov/award/CONT_IDV_70CDCR26D00000029_7012.

⁴ Unique Award Key CONT_IDV_70CDCR26D00000029_7012.

⁵ Unique Award Key CONT_AWD_15M40026FA3500020_1544_70CDCR26D00000029_7012.

⁶ Unique Award Key CONT_AWD_70CDCR26FR0000060_7012_70CDCR26D00000029_7012.

⁷ Unique Award Key CONT_AWD_70CDCR26FR0000058_7012_70CDCR26D00000029_7012.

⁸ See *supra* n.2.

⁹ *Id.*

- (5) Any and all records relating to FAR 6.305, including records pertaining to FAR 6.305(f), in relation to the justification(s) for the “Notice of Intent to Sole Source – Torrance and Cibola,” Notice ID NOI-70CDCR26R00000014, published by the U.S. Department of Homeland Security on March 10, 2026.¹⁰

If it is your position that responsive records exist but that certain records or portions thereof are exempt from disclosure, please identify the records that are being withheld and state the specific FOIA exemption claimed as to each record or portion thereof being withheld. Please note that ACLU-NM expects the release of all segregable portions of otherwise exempt records. In addition, please note that ACLU-NM seeks each record in its entirety. Accordingly, please provide all nonexempt portions of the requested records, without redacting portions of any records as “non-responsive,” “out of scope,” or the like.

ACLU-NM requests that responsive records be provided in electronic form wherever possible. For hard copies of the requested records, please furnish the records to the following address: ACLU of New Mexico, P.O. Box 566, Albuquerque, NM, 87103.

Request for Expedited Processing

On behalf of NMILC, ACLU-NM requests that this FOIA request be expedited pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e) because this FOIA request involves: (1) an urgency to inform the public about an actual or alleged federal government activity; and (2) a matter of widespread and exceptional media interest in which there exist possible questions about the government’s integrity which affect public confidence. Please see attached for a statement on behalf of NMILC in support of this request for expedited processing. *See Attachment 1.*

Request for Fee Waiver

On behalf of NMILC, ACLU-NM requests that all fees associated with this FOIA request be waived in accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 6 C.F.R. § 5.11(k) because disclosure 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” and NMILC does not seek the records for a commercial purpose. 5 U.S.C. § 552(a)(4)(A)(iii).

A. Disclosure of the Information Is in the Public Interest

The requested records will provide important, nonpublic information that directly relates to ICE’s contracting arrangements, operations, and activities at the Torrance County Detention Facility (TCDF) and the Cibola County Correctional Center (CCCC).

These facilities are owned and operated by CoreCivic. Individuals in federal civil immigration custody are held at both facilities pursuant to contractual agreements with ICE. Until recently, ICE used intergovernmental service agreements (IGSAs) with Torrance County

¹⁰ *Id.*

and Cibola County to contract for detention operations at the TCDF and the CCCC, respectively. The counties subcontracted to CoreCivic to perform their obligations under the IGSA's. On or about May 1, 2026, ICE entered into direct contracts with CoreCivic for detention operations at the TCDF and the CCCC. Although a sole-source notification was posted for these direct contracts, no justification has subsequently been published, and the direct contracts have not been made available to the public. New Mexicans thus are left in the dark as to the terms of the currently operative direct contracts between ICE and CoreCivic for people detained in federal civil immigration custody at these facilities. The requested records will be meaningfully informative about the government's procurement practices, contracting arrangements, policies, and activities on this subject matter, and will contribute significantly to the public's understanding of ICE's detention operations at the TCDF and the CCCC.

Moreover, the requested records are of significant public concern, as shown by the substantial public attention already devoted to ICE enforcement and detention operations in New Mexico, including ICE's entry into direct contracts with CoreCivic for detention operations at the TCDF and the CCCC on or about May 1, 2026. Notably, in February 2026 the state legislature passed into law the Immigrant Safety Act (HB 9), which disentangles New Mexico state and local government from ICE detention operations. That law, which took effect on May 20, 2026, prohibits state and local governmental entities from contracting for the detention of individuals for federal civil immigration violations. It further requires state and local governmental entities to terminate existing contracts for such detention operations. Ahead of the effective date of the Immigrant Safety Act, Torrance County and Cibola County terminated their contracts with ICE for immigration detention operations at the TCDF and the CCCC. ICE immediately entered into direct contracts with CoreCivic for continued immigration detention operations at these facilities, based on a sole-source notification and without competitive bidding. As advocates continue to document instances of mistreatment and abuse of people in ICE detention at these facilities, the public's concern regarding ICE's contractual arrangements, operations, and activities at the TCDF and the CCCC has become even more heightened.

NMILC has substantial expertise and experience regarding immigration enforcement and detention operations, including the contracting arrangements for ICE detention within the state of New Mexico. NMILC has the capacity, intent, and demonstrated ability to effectively disseminate the information it receives to the public free of charge.

NMILC is a 501(c)(3) nonprofit organization, originally established in 2010, that advances justice and equity by empowering low-income immigrant communities through collaborative legal services, advocacy, and education.

NMILC disseminates information about immigration enforcement and detention matters in numerous different media and forums for use in educating the public. NMILC routinely uses social media to inform the public about immigration enforcement and detention issues. NMILC's website (<https://www.nmilc.org/>) is intended to share information and educate the public. This website is visited by thousands of members of the public, elected officials, individuals impacted by immigration enforcement and detention activities, and other stakeholders each month. NMILC regularly issues press statements and other media alerts to an extensive list of local, regional, and national media outlets. NMILC maintains regular contact

with a broad set of journalists who cover immigration enforcement and detention issues. NMILC also engages in direct advocacy to elected officials and governmental agencies at the local, state, and federal level. NMILC intends to widely disseminate the requested information to the public through its website, social media, and other forums.

B. Disclosure of the Information Is Not Primarily in the Commercial Interest of the Requester

NMILC is a non-profit organization. As detailed above, NMILC seeks the requested records for the purpose of disseminating relevant information to the public. NMILC does not have a commercial interest in the requested records.

Accordingly, we request that all fees associated with this FOIA request be waived because NMILC is entitled to a public interest fee waiver. If, however, a waiver is not granted, please contact Sofia Bomse at (505) 524-2997 or sbomse@aclu-nm.org to advise us of the amount of any anticipated or estimated search, review, and duplication charges in excess of \$25.00 before you conduct these activities.

* * *

We expect a response within 10 calendar days of the agency's receipt of this request for expedited processing as required by law. If you have any questions regarding this request or need any additional information, please contact Sofia Bomse at (505) 524-2997 or sbomse@aclu-nm.org. Thank you for your prompt attention to this matter.

Sincerely,

/s/ Rebecca Sheff

Rebecca Sheff

Senior Staff Attorney

American Civil Liberties Union of New Mexico

Counsel for New Mexico Immigrant Law Center

ATTACHMENT 1

Statement in Support of Request for Expedited Processing

1. My name is Jasmine McGee. I am a Managing Attorney at the New Mexico Immigrant Law Center (NMILC).
2. On behalf of NMILC, I am requesting expedited processing of this FOIA request pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e) because this FOIA request involves: (1) an urgency to inform the public about an actual or alleged federal government activity; and (2) a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence.
3. ***Urgency to Inform the Public:*** This FOIA request involves an urgency to inform the public about an actual or alleged federal government activity. Although NMILC is not a full-time member of the news media, its staff include persons who are primarily engaged in information dissemination. We will distribute this information through all our social media platforms, including Facebook, Instagram, LinkedIn, Threads, and YouTube, which have a total following of over 10,000 users and have generated over 278,000 impressions and engagements in 2026 to date. Additionally, we will share this information through our website, which receives an average of over 4,000 visits per month, a news release to local, regional, and national journalists and news outlets, blog posts, coalition listservs, and email marketing.
4. Numerous news articles have already been published on recent changes to the landscape of immigration detention in New Mexico. In February 2026, New Mexico's state legislature enacted the Immigrant Safety Act (House Bill 9), codified at NMSA 1978, Sections 13-9-1 to -6 (2026). The Immigrant Safety Act embodied New Mexico's decision to disentangle itself from voluntary cooperation with the federal government on immigration enforcement and detention activities. The bill was designed, in particular, to get New Mexico out of the business of immigration detention.
5. This policy objective gained substantial urgency in the lead-up to the 2026 state legislative session in light of the Trump Administration's acute crackdown on immigrant communities and the federal government's aggressive ramp-up of a nationwide detention and deportation pipeline. New Mexico's ICE detention facilities held people who had been apprehended in high-profile raids in Chicago, National Guard deployment in Los Angeles, "Operation Metro Surge" actions in Minneapolis, and more. People detained in ICE custody in New Mexico were subjected to some of the worst excesses of the Trump Administration's inhumane experimentations. New Mexican detention facilities became staging grounds for people to be shipped off to Guantanamo Bay, the notorious CECOT prison in El Salvador, and third-country deportations. Meanwhile, New Mexican counties continued to profit from their detention contracts with ICE.
6. The Immigrant Safety Act benefited from exceptionally strong community support across a wide range of constituencies including organizations advocating for immigrants' rights,

civil liberties, environmental rights, LGBTQ+ rights, children's rights, Indigenous peoples' rights, and faith-based communities.¹ Legislators who had championed various versions of the bill for years drove the process forward, and the bill benefited from sustained support by legislative leadership. Given the outpouring of support and the urgency of the political context, the state legislature committed to prioritizing the bill and moving it expeditiously through the legislative process.² The media closely tracked the movement of the bill through committees and floor debate; this was one of the most high-profile bills of the state legislative session.³

7. The Immigrant Safety Act was signed by the Governor on February 5, 2026, and took effect on May 20, 2026. Section 3 of the Immigrant Safety Act prohibits public bodies from entering into, extending, renewing, or otherwise agreeing to be a party to an agreement to detain individuals for federal civil immigration violations. The Immigrant Safety Act required public bodies that were already party to any such agreement to terminate the agreement. There was significant national and local press coverage of the enactment of the Immigrant Safety Act and its implications for existing contracts for ICE detention operations in New Mexico.⁴
8. Journalists doggedly pursued updates about how ICE and the counties with existing detention agreements would respond to the enactment of the Immigrant Safety Act.⁵ Torrance County and Cibola County each had an existing intergovernmental service agreement with ICE to detain people in federal civil immigration custody; both counties subcontracted to CoreCivic for detention operations. Pursuant to those contractual arrangements, people in ICE custody were routinely detained at the Torrance County

¹ ACLU of New Mexico, "HB9 Advances with Stronger Protections for Immigrant Communities" (Jan. 28, 2026), <https://www.aclu-nm.org/press-releases/hb9-advances-with-stronger-protections-for-immigrant-communities/>.

² Fallon Fischer, KRQE, "Gov. Michelle Lujan Grisham delivers final State of the State address ahead of 2026 legislative session" (Jan. 20, 2026), <https://www.msn.com/en-us/news/politics/gov-michelle-lujan-grisham-to-deliver-final-state-of-the-state-address-ahead-of-2026-legislative-session/ar-AA1UAPqU?ocid=BingNewsVerp>.

³ New Mexico Political Report, "Lujan Grisham to push immigrant detention ban in next legislative session" (Sept. 8, 2025), <https://nmpoliticalreport.com/2025/09/08/lujan-grisham-to-push-immigrant-detention-ban-in-next-legislative-session/>; Patrick Davis, KSFR, "House committee passes Immigrant Safety Act in contentious, emotional meeting" (Jan. 23, 2026), <https://www.ksfr.org/2026-01-23/house-committee-passes-immigrant-safety-act-in-contentious-emotional-meeting>; Los Alamos Reporter, "House Passes Immigrant Safety Act" (Jan. 30, 2026), <https://losalamosreporter.com/2026/01/30/house-passes-immigrant-safety-act-2/>.

⁴ Gabe Chavez, KRQE, "How will the Immigrant Safety Act impact New Mexico?" (Feb. 5, 2026), <https://www.krqe.com/news/politics-government/legislature/how-will-the-immigrant-safety-act-impact-new-mexico/>; New Mexico Political Report, "Bill to close ICE facilities in New Mexico signed into law by Gov" (Feb. 5, 2026), <https://nmpoliticalreport.com/2026/02/05/bill-to-close-ice-facilities-in-new-mexico-signed-into-law-by-gov/>.

⁵ Jason McNabb, KOAT, "Otero County ICE contract continues as state navigates immigrant safety law challenges" (May 15, 2026), <https://www.koat.com/article/otero-county-ice-contract-continues-state-navigates-immigrant-safety-law-challenges/71318565>; KRQE, "NMDOJ says stipulation on Immigrant Safety Act is limited to Otero County" (May 14, 2026), <https://www.krqe.com/video/nmdoj-says-stipulation-on-immigrant-safety-act-is-limited-to-otero-county/11794859/>; Diego Lopez, Cibola Citizen, "ICE Signs Direct Contract with CoreCivic Ahead of HB 9 Effective Date, Shifting Cibola County's Role in Milan Detention Center" (May 13, 2026), <https://www.cibolacitizen.com/news/ice-signs-direct-contract-corecivic-ahead-hb-9-effective-date-shifting-cibola-countys-role>.

Detention Facility (TCDF) in Estancia, New Mexico, and the Cibola County Correctional Center (CCCC) in Milan, New Mexico. After the enactment of the Immigrant Safety Act and in anticipation of the law going into effect, Cibola County respectively ended their intergovernmental service agreements with ICE, while Torrance County voted to extend their agreement for thirty days, twice.⁶

9. ICE opted to switch to a direct contract with CoreCivic—the owner and operator of the TCDF and the CCCC—to maintain detention operations at both facilities. ICE published a Notice of Intent to Sole Source the contract with CoreCivic on March 10, 2026.⁷
10. Media attention on ICE’s recent transition from intergovernmental service agreements with Torrance County and Cibola County to direct contracts with CoreCivic for detention operations at the TCDF and the CCCC⁸ is a strong indicator of the particular urgency to inform the public regarding the subject matter of this FOIA request. Elected officials continue to call for transparency around the contracting and operation of these facilities and call for more oversight not continued operations.⁹
11. This urgency extends beyond the public’s right to know about government activity generally. Public concern about the treatment of individuals detained in ICE custody at the TCDF and the CCCC has been heightened for years. Both facilities have a long history of documented abuse, neglect, and unsafe conditions. At TCDF, detainees, legal service providers and advocates have reported ongoing sewage backups, restricted access to medical care and legal services, prolonged lockdowns, and hunger strikes in 2025 and 2026. This is in addition to the ongoing reports of suicide attempts, inadequate medical

⁶ Patrick Lohmann, Source NM, “Cibola County Commission votes to exit ICE immigrant detention contract” (Mar. 27, 2026), <https://sourcenm.com/2026/03/27/cibola-county-commission-votes-to-exit-ice-immigrant-detention-contract/>; Patrick Lohmann, Source NM, “Torrance County extends ICE detention contract day after Legislature votes to ban such agreements” (Feb. 4, 2026), <https://sourcenm.com/2026/02/04/torrance-county-extends-ice-detention-contract-day-after-legislature-votes-to-ban-such-agreements/>; Patrick Lohmann, Source NM, “Torrance County votes to extend ICE contract, potentially for last time” (Apr. 2, 2026), <https://sourcenm.com/2026/04/02/torrance-county-votes-to-extend-ice-contract-potentially-for-last-time/>.

⁷ SAM.GOV, “Notice of Intent to Sole Source – Torrance and Cibola” (Mar. 10, 2026), <https://sam.gov/workspace/contract/opp/ee796eb2d09b4216a30f6b15d9dd4a8d/view>.

⁸ Clara Bates, Santa Fe New Mexican, “Cibola and Torrance immigrant lockups to stay open; feds contract with prison company” (May 6, 2026), https://www.santafenewmexican.com/news/local_news/cibola-and-torrance-immigrant-lockups-to-stay-open-feds-contract-with-prison-company/article_88d663ee-e266-455a-8faf-7eb97eac551c.html; Caden Keenan, MSN, “New Mexico Department of Justice sues Curry County, Torrance County over ICE program agreements” (May 28, 2026), <https://www.msn.com/en-us/news/us/new-mexico-department-of-justice-sues-curry-county-torrance-county-over-ice-program-agreements/ar-AA24hH9P>; Patrick Lohmann, Source NM, “NM AG Torrez sues Torrance and Curry counties, sheriffs over ICE agreements violating new state law” (May 27, 2026), <https://sourcenm.com/2026/05/27/nm-ag-torrez-sues-torrance-and-curry-counties-sheriffs-over-ice-agreements-violating-new-state-law/>.

⁹ KOB 4, “New Mexico lawmakers, leaders respond to federal lawsuit” (May 9, 2026), <https://www.kob.com/new-mexico/new-mexico-lawmakers-leaders-respond-to-federal-lawsuit/>; Julian Resendiz, Border Report, “Senator wants ICE to close New Mexico migrant detention facility” (Nov. 13, 2025), <https://www.borderreport.com/border-report-tour/migrant-centers/senator-wants-ice-to-close-new-mexico-migrant-detention-facility/>.

and mental health care. At CCCC, there is a long history of medical neglect, including the death of transgender asylum seeker Roxsana Hernandez, and a recent 2024 federal complaint alleged widespread medical neglect and a 2025 investigation reported that at least 15 people died at the facility since 2018, from suicide, overdose, and deaths linked to health problems. These instances of abuse and mistreatment amply demonstrate the gravity of the public's concern.

12. Given that ICE entered into the direct contracts with CoreCivic for the TCDF and the CCCC on a sole-source basis, ICE has not published a justification for the sole-source contracting in violation of federal procurement requirements, and the direct contracts between ICE and CoreCivic have not been proactively made available to the public, there is a warranted and heightened concern regarding ICE's contracting arrangements for the TCDF and the CCCC. There is thus a particular urgency to inform the public of the subject matter of this FOIA request.

13. ***Matter of Widespread and Exceptional Media Interest:*** This FOIA request involves a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. As cited above, numerous news outlets have demonstrated substantial and persistent interest in immigration detention operations at the TCDF and the CCCC subsequent to the enactment of the Immigrant Safety Act, including the direct contracts between ICE and CoreCivic for continued operations at these facilities.

14. This media interest has been heightened due to ICE's sole-sourcing of the contracts, ICE's failure to publish a justification for its decision not to competitively bid these contracts, and the lack of proactive disclosure of the contracts. These actions and omissions by ICE have caused questions to be raised by the public, elected officials, journalists, and other stakeholders as to ICE's integrity.

The lack of transparency has raised further questions as to the operative terms of the contracts and the minimum requirements to which CoreCivic is contractually bound to protect the health and safety of people detained in ICE custody at these privately-operated facilities.

15. As detailed above, NMILC maintains regular contact with members of the press on such matters and has considerable capacity to disseminate the requested information to media outlets.

16. These considerations, whether considered separately or together, are more than sufficient to meet the standard set out in 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e) for the agency to grant expedited processing of this FOIA request. For the reasons above, I respectfully request expedited processing of this FOIA request.

I certify that this statement is complete, true and correct to the best of my knowledge and belief.

Signature: Jasmine McGee
Name: Jasmine McGee

08/28/2026
Date: _____

Managing Attorney, The New Mexico Immigrant Law Center

Exhibit 2

 SecureRelease™ Portal

DETAILS



CONTACT INFORMATION



DOCUMENTS



MESSAGES



APPEALS

Request Number:

Pending

Details of Request

(Read only details of request)

CANCEL

Request Description: For the time period of January 20, 2025 through the date of completion of this request: records pertaining to any and all contracts entered into between ICE and CoreCivic pursuant to the "Notice of Intent to Sole Source – Torrance and Cibola," Notice ID NOI-70CDCR26R00000014, published by the U.S. Department of Homeland Security on March 10, 2026 and related records, as more fully described in the accompanying document.

Agency: Department of Homeland Security

Component: U.S. Immigration & Customs Enforcement

Processing Track: TBD

Request Type: FOIA Request

Submitted Date: 09/03/2026

Fee Waiver Requested? : Pending Decision

Reason for Fee Waiver: Please see pp. 3-5 of attached FOIA request.

Expedited Processing?: Pending Decision

Reason for Expedited Processing: Please see p. 3 and Attachment 1 to attached FOIA request.

Request Status: Submitted - Pending Review

Identity Verification Status: Not Requested by Agency

Additional Information

(Additional details or clarifications of request.)

Request Designation: Other (I am not requesting records about a person)

Files uploaded by user

Files not exceeding 20 MB in size, can be attached.

 Search



File Name

Attachment Type

2026.09.03 FOIA to ICE re Direct Contracts_FINAL.pdf

General Documentation

5 rows ▼

|< < 1-1 of 1 > >|

SUPPORT

LICENSES

PRIVACY NOTICE

COOKIE NOTICE

COOKISETTINGS

GOVERNMENT SYSTEM NOTICE



Exhibit 3



ICE FOIA 2026-ICFO-40141 Clarification Request

From ice foia@ice.dhs.gov <noreply@securerelease.us>

Date Tue 9/8/2026 6:30 PM

To Sofia Bomse <SBomse@aclu nm.org>

This Message Is From an External Sender

This message came from outside your organization.

09/08/2026

Sofia Bomse
ACLU-NM
PO Box 566
Albuquerque, New Mexico 87103

RE: ICE FOIA Request 2026-ICFO-40141

Dear Requester:

This letter concerns your ICE FOIA request dated 9/3/2026, in which you seek records pertaining to ICE contracts, delivery orders, task orders, amendments, attachments, email communications, and procurement justification records involving CoreCivic and related entities for detention operations at the Torrance County Detention Facility and Cibola County Correctional Center, including records associated with the referenced sole source notice, IDIQ contract, related award orders, and applicable FAR justification and posting requirements from January 20, 2025 through completion of the request.

As currently framed, portions of your request do not reasonably describe the records sought in a way that allows ICE to conduct a focused and reasonable search. FOIA requires that a request reasonably describe the records sought so that agency personnel can locate them with a reasonable amount of effort. ICE can process only records within ICE's custody and control.

Please provide a fixed end date for the request. ICE cannot structure searches around an evolving date such as "through the date of completion of this request." Please provide a closed start date and end date for the records sought. For the portions of the request seeking emails and email attachments, please limit the timeframe to a closed six-month period.

For the portions of the request seeking contracts, delivery orders, task orders, modifications, amendments, appendices, attachments, Performance Work Statements, Quality Control Plans, Quality Assurance Surveillance Plans, Jail Cost Statements, and FAR-related justification and approval records, please confirm whether you seek records maintained by ICE's Office of Acquisition Management and identify any additional ICE directorate, program office, or contracting office you intend ICE to search. To help ICE conduct a focused search, please also confirm the contract number, task order or delivery order numbers, vendor name, facility names, and service type

for the records sought.

For the portion of the request seeking “any and all emails and email attachments,” please identify the ICE custodians whose records you want searched by name or position title. Please also identify the ICE directorate, program office, contracting office, or field office associated with those custodians; provide the search terms you want ICE to use; and specify whether those terms should be applied to subject lines, body text, and attachments. If you seek communications with CoreCivic, TransCor, SAM.gov, USASpending.gov, DHS, or any other external entity, please provide known external email domains so ICE can target communications to and from those entities. Please also specify the communications systems you intend ICE to search, such as official ICE email and Microsoft Teams. ICE cannot search all emails, attachments, or communications without identified custodians, systems, search terms, and a fixed timeframe.

In addition, some records responsive to portions of your request may already be publicly available through federal procurement or spending websites, including SAM.gov and USASpending.gov, or through the ICE FOIA Library. FOIA does not require ICE to reprocess or re-release records that are already publicly available. To the extent you seek publicly available records, please amend your request to identify additional non-public records you seek beyond the publicly posted materials. To the extent you seek records referenced on, maintained by, or available through SAM.gov or USASpending.gov, please clarify whether you seek additional non-public records maintained by ICE. SAM.gov and USASpending.gov are not ICE records repositories, and ICE can process only records within ICE’s custody and control. If you seek records maintained by another federal agency or by an external platform, you may need to submit a separate request to the appropriate agency or entity.

Until this additional information is provided, ICE is unable to proceed with an adequately focused search for records responsive to your request as currently framed.

Please provide your clarification as soon as possible to avoid further delay in processing your request. You may respond by sending a message through the SecureRelease portal or by emailing ICE-FOIA@ice.dhs.gov.

If we do not receive your response within **30 working days** of the date of this letter, your request will be **administratively closed**.

Your request has been assigned reference number 2026-ICFO-40141. Please include this number in any future correspondence regarding your request.

Sincerely,

Freedom of Information Act (FOIA) Office
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
ICE-FOIA@ice.dhs.gov | www.ice.gov/foia

Exhibit 4



2026-ICFO-40141: Response to Clarification Request

From Sofia Bomse <SBomse@aclu-nm.org>

Date Tue 9/22/2026 1:05 PM

To ICE FOIA <ice-foia@ice.dhs.gov>

Cc Becca Sheff <rsheff@aclu-nm.org>

September 22, 2026

Via email and SecureRelease Portal to:

Freedom of Information Act (FOIA) Office
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
ICE-FOIA@ice.dhs.gov

Re: Response to Clarification Request for 2026-ICFO-40141

Greetings,

We are in receipt of the agency's letter dated September 8, 2026, regarding ICE FOIA Request No. 2026-ICFO-40141. On behalf of our client, the New Mexico Immigrant Law Center, we provide the following response.

To the extent the letter requests that we narrow the temporal and/or substantive scope of the FOIA request, we decline to do so.

Such a request is *ultra vires*. The FOIA statute itself states that where a requester submits a request that "reasonably describes" the records requested, the agency "shall make the records promptly available." 5 U.S.C. § 552(a)(3)(A). The statute requires that the agency "exercise[e] due diligence in responding to the request." 5 U.S.C. § 552(6)(C)(i).

The statute specifies procedures by which the agency may invoke "unusual circumstances" as defined in the statute, to extend the time for the agency's search for responsive records. 5 U.S.C. § 552(a)(6)(B). The "unusual circumstances" mechanism may be invoked "only to the extent reasonably necessary to the proper processing of the particular requests." *Id.* The agency invoking "unusual circumstances" is to notify the requester and "provide the person an opportunity to limit the scope of the request." *Id.*; see also 6 C.F.R. § 5.3(c). Here, ICE has not identified any "unusual circumstances" warranting a request to limit the scope.

The implementing regulations for ICE, regarding its FOIA obligations, reinforce the *ultra vires* nature of the agency's request here. The regulations require requesters to "describe the records sought in sufficient detail to enable DHS personnel to locate them with a reasonable amount of effort." 6 C.F.R. § 5.3(b). A "reasonable description" is one that "contains sufficient information to permit an organized, non-random search for the record based on the [DHS] component's filing arrangements and existing

retrieval system.” *Id.* Requesters are encouraged to “include specific information that may assist a component in identifying the requested records, such as the date, title or name, author, recipient, subject matter of the record, case number, file designation, or reference number.” *Id.* While the agency may seek additional information from the requester, such a request is only proper where the FOIA request “does not reasonably describe the records sought.” 6 C.F.R. § 5.3(b), (c).

Here, we have provided specific numerical identifiers for the requested contracts and implementing records, with the corresponding dates where available. ICE’s electronic records system routinely includes, in the ordinary course of business, spreadsheets and folders containing a comprehensive set of records for each contract issued for immigration detention services. We have provided a reasonable description of the records sought, including the information necessary for ICE to conduct a non-burdensome search.

Guidance issued by the U.S. Department of Justice makes clear that FOIA requests are to be construed liberally. The DOJ Office of Information Policy issued guidance in 2023 emphasizing the importance of the “presumption of openness” and directing agencies to “consider all disclosure determinations with transparency in mind.” U.S. Dep’t of Justice, “OIP Guidance: Applying a Presumption of Openness and the Foreseeable Harm Standard” (Mar. 13, 2023), <https://www.justice.gov/oip/oip-guidance/oip-guidance-applying-presumption-openness-and-foreseeable-harm-standard>. Further, the DOJ FOIA Guide states that records are reasonably described if a “professional agency employee familiar with the subject area” is able to locate the records with a “reasonable amount of effort.” U.S. Dep’t of Justice, Guide to the Freedom of Information Act, at “Procedural Requirements,” p. 27, <https://www.justice.gov/oip/doj-guide-freedom-information-act-0>.

DOJ guidance also provides specific directives to agencies as to how to properly construe the temporal scope of requested records. Courts have found that the agency’s search obligations for a request have a “cut-off” date, beyond which records are not treated as responsive to the request. The agency is to use “the date the agency conducts its search” as the cut-off date. DOJ FOIA Guide, at “Procedural Requirements,” pp. 68–69. The agency is not to use the date of the request or the date of the agency’s receipt of the request as the cut-off date, unless a “compelling justification” exists for doing so. *Id.*

As a courtesy, we provide the below information to assist the agency in searching for responsive records. This information shall not be construed to narrow the request.

- It is our understanding that at least some of the responsive records will likely be maintained by ICE’s Office of Acquisition Management.
- The FOIA request identifies the contract number, task order or delivery numbers, vendor name, facility names, and service type.
- It is our understanding that at least some of the responsive records that are emails and email attachments will likely be in the possession, custody, or control of ICE’s Office of Acquisition Management.
- It is our understanding that the primary email domain used by CoreCivic personnel is “corecivic.com”.
- To the extent the request seeks records referenced on SAM.gov or USASpending.gov, we seek non-public records in the possession, custody, or control of ICE.

We remain available for further communications regarding clarifications.

Sincerely,

Rebecca Sheff

Senior Staff Attorney
ACLU of New Mexico

Counsel for New Mexico Immigrant Law Center

Sofia Bomse (she/her/ella)
Paralegal | ACLU of New Mexico
P.O. Box 566 Albuquerque, NM 87103
505-524-2997



www.aclu-nm.org

This message may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply email that this message has been inadvertently transmitted to you and delete this email from your system.

Exhibit 5

 SecureRelease™ Portal DETAILS  CONTACT INFORMATION  DOCUMENTS

Request Number:

2026-ICFO-40141

Messages

ADD MESSAGE

**2026-ICFO-40141 - Response to Clarification Request for 2026-ICFO-40141**

09/22/2026, 1:11:59 pm



Clarification of Request

September 22, 2026

Via email and SecureRelease Portal to:

Freedom of Information Act (FOIA) Office
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
ICE-FOIA@ice.dhs.gov

Re: Response to Clarification Request for 2026-ICFO-40141

Greetings,

We are in receipt of the agency's letter dated September 8, 2026, regarding ICE FOIA Request No. 2026-ICFO-40141. On behalf of our client, the New Mexico Immigrant Law Center, we provide the following response.

To the extent the letter requests that we narrow the temporal and/or substantive scope of the FOIA request, we decline to do so.

Such a request is ultra vires. The FOIA statute itself states that where a requester submits a request that "reasonably describes" the records requested, the agency "shall make the records promptly available." 5 U.S.C. § 552(a)(3)(A). The statute requires that the agency "exercise[e] due diligence in responding to the request." 5 U.S.C. § 552(6)(C)(i).

The statute specifies procedures by which the agency may invoke "unusual circumstances" as defined in the statute, to extend the time for the agency's search for responsive records. 5 U.S.C. § 552(a)(6)(B). The "unusual circumstances" mechanism may be invoked "only to the extent

reasonably necessary to the proper processing of the particular requests.” Id. The agency invoking “unusual circumstances” is to notify the requester and “provide the person an opportunity to limit the scope of the request.” Id.; see also 6 C.F.R. § 5.3(c). Here, ICE has not identified any “unusual circumstances” warranting a request to limit the scope.

The implementing regulations for ICE, regarding its FOIA obligations, reinforce the ultra vires nature of the agency’s request here. The regulations require requesters to “describe the records sought in sufficient detail to enable DHS personnel to locate them with a reasonable amount of effort.” 6 C.F.R. § 5.3(b). A “reasonable description” is one that “contains sufficient information permit an organized, non-random search for the record based on the [DHS] component’s filing arrangements and existing retrieval system.” Id. Requesters are encouraged to “include specific information that may assist a component in identifying the requested records, such as the date title or name, author, recipient, subject matter of the record, case number, file designation, or reference number.” Id. While the agency may seek additional information from the requester, such a request is only proper where the FOIA request “does not reasonably describe the record sought.” 6 C.F.R. § 5.3(b), (c).

Here, we have provided specific numerical identifiers for the requested contracts and implementing records, with the corresponding dates where available. ICE’s electronic records system routinely includes, in the ordinary course of business, spreadsheets and folders containing a comprehensive set of records for each contract issued for immigration detention services. We have provided a reasonable description of the records sought, including the information necessary for ICE to conduct a non-burdensome search.

Guidance issued by the U.S. Department of Justice makes clear that FOIA requests are to be construed liberally. The DOJ Office of Information Policy issued guidance in 2023 emphasizing the importance of the “presumption of openness” and directing agencies to “consider all disclosure determinations with transparency in mind.” U.S. Dep’t of Justice, “OIP Guidance: Applying a Presumption of Openness and the Foreseeable Harm Standard” (Mar. 13, 2023), <https://www.justice.gov/oip/oip-guidance/oip-guidance-applying-presumption-openness-and-foreseeable-harm-standard>. Further, the DOJ FOIA Guide states that records are reasonably described if a “professional agency employee familiar with the subject area” is able to locate the records with a “reasonable amount of effort.” U.S. Dep’t of Justice, Guide to the Freedom of Information Act, at “Procedural Requirements,” p. 27, <https://www.justice.gov/oip/doj-guide-freedom-information-act-0>.

DOJ guidance also provides specific directives to agencies as to how to properly construe the temporal scope of requested records. Courts have found that the agency’s search obligations for a request have a “cut-off” date, beyond which records are not treated as responsive to the request. The agency is to use “the date the agency conducts its search” as the cut-off date. DOJ FOIA Guide, at “Procedural Requirements,” pp. 68–69. The agency is not to use the date of the request or the date of the agency’s receipt of the request as the cut-off date, unless a

"compelling justification" exists for doing so. Id.

As a courtesy, we provide the below information to assist the agency in searching for responsive records. This information shall not be construed to narrow the request.

- It is our understanding that at least some of the responsive records will likely be maintained by ICE's Office of Acquisition Management.
- The FOIA request identifies the contract number, task order or delivery numbers, vendor name, facility names, and service type.
- It is our understanding that at least some of the responsive records that are emails and email attachments will likely be in the possession, custody, or control of ICE's Office of Acquisition Management.
- It is our understanding that the primary email domain used by CoreCivic personnel is "corecivic.com".
- To the extent the request seeks records referenced on SAM.gov or USASpending.gov, we seek non-public records in the possession, custody, or control of ICE.

We remain available for further communications regarding clarifications.

Sincerely,

Rebecca Sheff
Senior Staff Attorney
ACLU of New Mexico

Counsel for New Mexico Immigrant Law Center

[SUPPORT](#)[LICENSES](#)[PRIVACY NOTICE](#)[COOKIE NOTICE](#)[COOKIE SETTINGS](#)[G](#)

Exhibit 6



Outlook

Automatic reply: 2026-ICFO-40141: Response to Clarification Request

From ICE FOIA <ice.foia@ice.dhs.gov>

Date Tue 9/22/2026 1:05 PM

To Sofia Bomse <SBomse@aclu.nm.org>

This Message Is From an External Sender

This message came from outside your organization.

THIS IS AN AUTOMATED MESSAGE. DO NOT REPLY.

Please read this entire email.

Thank you for contacting the U.S. Immigration and Customs Enforcement's (ICE) Freedom of Information Act (FOIA) office.

The ICE FOIA office does not accept FOIA requests by email. This mailbox will be used by ICE FOIA to respond to questions about the ICE Freedom of Information Act (FOIA) program and inter-governmental inquiries (federal). If you submitted a FOIA-related question, ICE FOIA will respond as soon as possible. FOIA requests from the public submitted to this mailbox will not be acknowledged or processed.

FOIA requests for ICE records should be submitted electronically through the [SecureRelease Portal](#). The SecureRelease Portal allows requesters to submit their requests, track the status of their requests, and receive responsive documents. When submitting a request to ICE through the SecureRelease Portal, please follow the provided instructions and ensure any necessary documentation is included with your request.

Due to ICE policy, the ICE FOIA office cannot reply to emails that contain Personally Identifiable Information, such as, alien number, social security number, date of birth, passport number, etc.

If you are seeking the status of a request, please provide the tracking number.

Requesting Immigration Records

If you are submitting a FOIA request for immigration records about yourself or another person, be sure you are submitting your FOIA request to the correct agency.

- Submit a FOIA Request to [U.S. Citizenship and Immigration Services \(USCIS\)](#) if you are seeking:
 - A-file (an individual's immigration records)
 - Apprehension, encounter/interaction, or enforcement documents issued by ICE, including, I-166, I-200, I-205, I-213, I-220A, I-220B, I-286, I-294, I-296, I-352, I-391, I-826, I-830, I-851, I-851A, I-862, I-871
 - Record of removal from the U.S.

- Petitions, Applications, and Certifications
- Petition status
- I-129: Petition for a Nonimmigrant Worker
- I-90: Application to Replace a Permanent Resident Card (green card)
- I-130: Petition for Alien Relative
- I-140: Immigrant Petition for Alien Workers
- I-485: Application to Register Permanent Residence or Adjust Status
- I-751: Petition to Remove Conditions on Residence
- N-400: Application for Naturalization
- Labor certification
- Naturalization Certificate
- Proof of Lawful Permanent Resident (LPR) status

Submit a FOIA request to [U.S. Customs and Border Protection \(CBP\)](#) if you are seeking:

- Apprehensions by U.S. Border Patrol.
- Entry/exit records
- Form I-94 records
- Detention, deportation, expedited removal, background investigations, or inspections by Customs and Border Protection (CBP)
- Voluntary return records

Note: U.S. Customs and Border Protection (CBP) uses the same FOIA request portal as ICE. Make sure to select “U.S. Customs & Border Protection” in the Component drop-down box to ensure your request is sent to CBP.

Submit a FOIA request to [U.S. Immigration and Customs Enforcement through the SecureRelease portal](#) if you are seeking:

- Deportation records
- Medical records (while detained by ICE)
- Detention or Detention Center related information
- Student and Exchange Visitor Program information

Note: Make sure to select “U.S. Immigration & Customs Enforcement” in the Component drop-down box to ensure your request is sent to ICE.

Submit a FOIA request to the [U.S. Department of State](#) if you are seeking:

- Visa requests from aliens to enter the United States
- Form DS-2019

The ICE FOIA office cannot provide guidance regarding personal immigration matters.

Visit the [ICE FOIA Library](#) to confirm we have not already posted the records you are seeking. ICE routinely and proactively discloses thousands of documents, such as statistics, inspection reports, contracts, and other frequently requested documents.

To request the return of original documents (passports, birth certificates, etc.) submit form [G-884 to USCIS](#).

To report suspicious criminal activity, please contact the ICE HSI Tip Line on their [website](#) or by phone at 1-866-DHS-2-ICE (1-866-347-2423).

If you are attempting to locate a detainee in an ICE facility, please visit [ICE's Online Detainee Locator System](#).

If you experience repeated referrals for security screenings or believe that you have been denied boarding or entry into the U.S. because of inaccurate information in law enforcement databases, submit your inquiry to the [DHS Traveler Redress Inquiry Program \(DHS TRIP\)](#).

For concerns pertaining to an individual's immigration case, please contact the ICE ERO Detention Reporting and Information Line by phone at 1-888-351-4024 or visit their [website](#).

If you are a representative of a federal, state, tribal and local law enforcement agency seeking information regarding aliens suspected, arrested or convicted of criminal activity, please contact ICE's Law Enforcement Support Center (LESC) regarding your inquiry. More information on how to contact the LESC can be obtained from their [website](#).

Visit the [ICE FOIA website](#) for more information about ICE FOIA.

THIS IS AN AUTOMATED MESSAGE. DO NOT REPLY.

Exhibit 7



ICE FOIA 2026-ICFO-40141

From ice.foia@ice.dhs.gov <noreply@securerelease.us>

Date Tue 10/13/2026 7:04 PM

To Sofia Bomse <SBomse@aclu nm.org>

This Message Is From an External Sender

This message came from outside your organization.

10/13/2026

Sofia Bomse
ACLU-NM
PO Box 566
Albuquerque, New Mexico 87103

RE: ICE FOIA Request 2026-ICFO-40141

Dear Requester:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated 9/3/2026, in which you requested: records pertaining to ICE contracts, delivery orders, task orders, amendments, attachments, email communications, and procurement justification records involving CoreCivic and related entities for detention operations at the Torrance County Detention Facility and Cibola County Correctional Center, including records associated with the referenced sole source notice, IDIQ contract, related award orders, and applicable FAR justification and posting requirements from January 20, 2025 through completion of the request. Our office received your request on 9/3/2026 and your response to clarification request on 9/22/2026.

Your request for expedited treatment is hereby denied.

Under DHS FOIA regulations, expedited processing is appropriate only in limited circumstances. Expedited treatment may be granted when (1) the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, 6 C.F.R. § 5.5(e)(1)(i), or (2) there is an urgency to inform the public about an actual or alleged federal government activity, and the request is made by a person primarily engaged in disseminating information, 6 C.F.R. § 5.5(e)(1)(ii). Requesters seeking expedited processing must provide a detailed written statement explaining the basis for the request, and that statement must be certified as true and correct. 6 C.F.R. § 5.5(e)(3).

Your request for expedited processing is denied because it does not satisfy either category under 6 C.F.R. § 5.5(e)(1). You have not shown that the lack of expedited treatment will pose an imminent threat to the life or physical safety of any individual. Although you may be primarily engaged in disseminating information, you have not provided specific, detailed reasons demonstrating an urgency to inform the public about the subject of your

request that exceeds the public's general interest in government activities. You also have not provided sufficient supporting evidence of a heightened public interest in this subject. Your request is largely conclusory and does not present facts that justify expedited processing under the applicable standards.

Due to the high volume of FOIA requests received by this office, we may experience some delay in processing your request. Under Section 5.5(a) of the Department of Homeland Security (DHS) FOIA regulations, 6 C.F.R. Part 5, ICE processes FOIA requests in the order in which they are received. Although ICE's goal is to respond within 20 business days of receiving a request, the FOIA permits a 10-business-day extension of this time period in certain circumstances. Because your request seeks numerous records and requires a thorough and wide-ranging search, ICE is invoking a 10-business-day extension for your request as allowed by 5 U.S.C. § 552(a)(6)(B).

If you are able to narrow the scope of your request (for example, by limiting the time frame, subject matter, or types of records), please contact this office. Narrowing the scope of your request may allow us to complete our search and respond more quickly. We will make every effort to process your request as promptly as possible.

In addition, ICE acknowledges that your FOIA request includes a request for fee waiver. We will adjudicate this request only if the agency is allowed to assess fees under the FOIA. See 6 C.F.R. § 5.11(c)-(d). If this is the case, you will be notified of our decision in a separate communication. If there are no assessable fees, your request for a fee waiver will be moot and you will not receive further communications from ICE regarding fees related to this FOIA request.

If you consider the decision to deny expedited treatment of your request to be an adverse determination, you may file an administrative appeal. To do so, you must submit your appeal, along with a copy of this letter, within 90 calendar days of the date of this letter, consistent with the procedures in the DHS FOIA regulations at 6 C.F.R. Part 5, § 5.8. You may submit your appeal through the SecureRelease Portal (preferred) or via regular mail to:

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
U.S. Department of Homeland Security
500 12th Street, S.W., Mail Stop 5900
Washington, D.C. 20536-5900

Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

We have tasked the appropriate ICE program offices with searching for records responsive to your request. If responsive records are located, they will be reviewed to determine what can be released under the FOIA and any other applicable laws.

If you have any questions about this response, you may contact the ICE FOIA Public Liaison at ICEFOIAPublicLiaison@ice.dhs.gov or (202) 732-2159.

You also have the right to seek dispute resolution services from the Office of Government Information Services (OGIS). OGIS is a neutral office that helps resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. Please note that if you are requesting access to your own records (a Privacy Act request), OGIS does not have authority to handle disputes arising under the Privacy Act of 1974. You may contact OGIS at:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road—OGIS
College Park, MD 207406001
Email: ogis@nara.gov
Telephone: 2027415770

Tollfree: 18776846448

Your request has been assigned reference number 2026-ICFO-40141. Please include this number in any future correspondence regarding your request.

Sincerely,

Freedom of Information Act (FOIA) Office
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement (ICE)
ICE-FOIA@ice.dhs.gov | www.ice.gov/foia