



**U.S. Immigration  
and Customs  
Enforcement**

February 10, 2014

Jacqueline Stevens  
601 University Place  
Department Of Political Science  
Northwestern University  
Evanston, IL 60208

Re: **ICE FOIA Case Number 2013FOIA17412**

Dear Ms. Stevens:

This letter is the final response to your Freedom of Information Act (FOIA) request, dated March 31, 2013 to the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), for information about an ICE facility on Commonwealth Business Drive in Tallahassee, FL 32301.

Your request has been considered under the FOIA, 5 U.S.C. § 552.

Searches have been conducted within ICE's Office of Enforcement and Removal Operations (ERO), Office of the Chief Financial Officer (CFO), and Office of Acquisition Management (OAM) for records that would be responsive to your request. ERO's search produced 10 pages of records. OAM and CFO were unable to locate records responsive to your request.

Following a review of the records produced by ERO, I have determined that portions will be withheld pursuant to Exemptions (b)(4), (b)(6), and (b)(7)(C) of the FOIA as described below.

**FOIA Exemption 4** protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential. The courts have held that this subsection protects (a) confidential commercial information, the disclosure of which is likely to cause substantial harm to the competitive position of the person who submitted the information and (b) information that was voluntarily submitted to the government if it is the kind of information that the provider would not customarily make available to the public. I have reviewed the responsive documents, the submitter's objections to release, and relevant case law, and I have determined that portions of the responsive records are exempt from disclosure under subsection (b)(4) of the FOIA and must be withheld in order to protect the submitter's proprietary interests.

ICE has applied Exemptions 6 and 7(C) to protect from disclosure the names and contact information of DHS employees and other third parties contained within the documents.

**FOIA Exemption 6** exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. The types of

documents and/or information that we have withheld may consist of social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

**FOIA Exemption 7(C)** protects records or information compiled for law enforcement purposes *that could reasonably be expected to constitute an unwarranted invasion of personal privacy.* This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

You have the right to appeal ICE's withholding determination. Should you wish to do so, send your appeal and a copy of this letter to: U.S. Immigration Customs Enforcement, Office of Principal Legal Advisor, U.S. Department of Homeland Security, Freedom of Information Office, 500 12<sup>th</sup> Street, S.W., Stop 5009 Washington, D.C. 20536-5009, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your appeal must be received within 60 days of the date of this letter. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at [ogis@nara.gov](mailto:ogis@nara.gov) or call 1-877-684-6448.

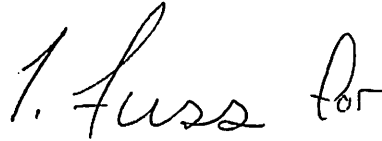
Provisions of the FOIA and Privacy Act allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.<sup>1</sup>

---

<sup>1</sup> 6 CFR § 5.11(d)(4).

If you need to contact our office about this matter, please refer to case number **2013FOIA17412**.  
This office can be reached at (866) 633-1182.

Sincerely,

A handwritten signature in black ink that reads "C. Fuss for". The signature is written in a cursive style.

Catrina M. Pavlik-Keenan  
FOIA Officer

Enclosure: Ten (10) Pages