

**national
IMMIGRATION
project**
of the National Lawyers Guild

September 8, 2016

VIA ELECTRONIC MAIL

Jonathan Cantor, Acting Chief Privacy Officer/Chief FOIA Officer
Angela Washington, Public Liaison, FOIA Production and Quality Assurance
Office for Civil Right and Civil Liberties
The Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655
E-mail: foia@hq.dhs.gov

Re: Freedom of Information Act Request

Dear FOIA Officer:

Adelante Alabama Worker Center, National Day Laborer Organizing Network, the National Immigration Project of the National Lawyers Guild, Detention Watch Network, Grater Birmingham Ministries, Immigrant Defense Project, Southern Poverty Law Center, and Southerner on New Ground (Requestors) submit this letter as a request for information under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, *et. seq.*

Requestors seek disclosure of the “super-recommendations memorandum” that the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) issued in Fiscal Year 2015. The memorandum we seek is referenced in CRCL’s FY 2015 Annual Report to Congress. *See* Department of Homeland Security Office for Civil Rights and Civil Liberties, “Fiscal Year 2015 Annual Report to Congress” (June 10, 2016) (CRCL FY 2015 Annual Report), *available at* <https://www.dhs.gov/sites/default/files/publications/crcl-fy-2015-annual-report.pdf>. Specifically, the Annual Report states:

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Super-Recommendations Memorandum

CRCL issued the first of a new type of recommendations memorandum in FY 2015 to address long-standing concerns about specific detention facilities used by ICE. This new type of memorandum, colloquially termed a “super-recommendations memorandum,” is an avenue to inform Component leadership of areas where there has been no significant implementation of CRCL recommendations despite repeated follow-up, CRCL continues to receive complaint allegations on the issues raised in the recommendations, and the issues presented raise serious civil rights concerns. In this instance, the memorandum addressed a detention facility in Alabama. CRCL highlighted the seriousness of problems found in previous investigations, the continued receipt of additional correspondence raising similar concerns, and CRCL’s belief that additional fact-finding is unnecessary as the prior recommendations are likely not being fully implemented. In these limited circumstances, CRCL made significant and far-reaching recommendations to fix identified problems, including a request that ICE no longer use the facility to house detainees.

See CRCL FY 2015 Annual Report at 28-29; *see also id.* at 35. We seek disclosure of the super-recommendations memorandum that is discussed in the quoted paragraph and addresses “a detention facility in Alabama.”

If under applicable law any of the information requested is considered exempt, please describe in detail the nature of the information withheld, the specific exemption or privilege upon which the information is withheld, and whether the portions of withheld documents containing non-exempt or non-privileged information have been provided. Thank you in advance for your response to this request within twenty working days, as FOIA requires. *See* 5 U.S.C. § 552(a)(6)(A)(i).

We request that CRCL produce the super-recommendations memorandum in an electronic format or on a compact disk. In the unlikely event that CRCL cannot produce the memorandum in those formats, Requestors agree to pay production fees in an amount up to \$25.00. If fees exceed this amount, please contact the undersigned.

Please email responsive documents to Jessica Vosburgh at jessica@adelantealabama.org and Trina Realmuto at trina@nipnl.org or via U.S. mail at the following addresses:

Jessica Vosburgh
National Day Laborer Organizing Network
Adelante Alabama Worker Center
2104 Chapel Hill Rd.
Birmingham, AL 35216

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CRCL FOIA Request

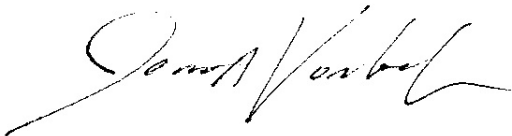
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Trina Realmuto
National Immigration Project of the National Lawyers Guild
14 Beacon Street, Suite 602
Boston, MA 02108

Thank you for your time and attention to this matter. Should you have any questions regarding this request, please contact either Trina Realmuto at 617.227.9727 ext. 8 or Jessica Vosburgh at 203.415.8368.

Sincerely,



Jessica Vosburgh, Executive Director,
Adelante Alabama Worker Center and
Staff Attorney, National Day Laborer
Organizing Network
c/o Adelante Alabama Worker Center
2104 Chapel Hill Rd.
Birmingham, AL 35216
203.415.8368
jessica@adelantealabama.org



Trina Realmuto, Litigation Director
National Immigration Project
of the National Lawyers Guild
14 Beacon Street, Suite 602
Boston, MA 02108
617.227.9272 ext. 8
trina@nipnl.org