



**OFFICE OF INSPECTOR GENERAL**  
Department of Homeland Security

Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

July 6, 2020

Sent via email to:

Andrew Free  
MuckRock News, DEPT MR 94990  
411A Highland Ave  
Somerville, Massachusetts 02144  
[94990-34836372@requests.muckrock.com](mailto:94990-34836372@requests.muckrock.com)

Subject: OIG Freedom of Information Act Request No. 2020-IGFO-00152  
Expedition Denial

Dear Mr. Free:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Inspector General (OIG), dated June 24, 2020, seeking 1. All Contractor Notifications to DHS-OIG from any ICE contractor, including, but not limited to, The GEO Group, Inc. and CoreCivic, Inc., regarding credible information that its agents have engaged in forced labor violations, 2. All DHS-OIG agency records received pursuant to 48 C.F.R. 52-222-50(g); and 3. All DHS-OIG agency records pertaining to any actions taken upon receiving such Contractor Notifications. Your request was received in this office on June 25, 2020, and was assigned the above-referenced FOIA tracking number.

In your letter you request expedited processing of your request. For requests to be considered for expedited processing the requester's letter must indicate the basis on which such treatment is sought. Requests will be taken out of chronological order based on the date of receipt and given expedited treatment only when it is determined that they involve: cases in which the person requesting the records demonstrates a compelling need and (1) circumstances in which lack of such treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; (2) an urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information; (3) the loss of substantial due process rights; or (4) a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. § 552(a)(6)(E)(i)(I) and (II), read in conjunction with 6 C.F.R. § 5.5(e)(1)(i),

(ii), (iii), (iv). Requesters seeking expedited processing are required to submit a statement explaining in detail the basis for their request for expedited processing, and that statement must be certified to be true and correct. 6 C.F.R. § 5.5(e)(3).

You requested expedited processing of your request under the Department's standard permitting expedition for requests involving a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity, which affect public confidence. 6 C.F.R. § 5.5(e)(1)(iv). Although you presented a representative sampling of widespread and exceptional media interest in which there exist possible questions about the government's integrity, which affect public confidence, you have not met the FOIA statute's prong of demonstrating a compelling need. § 552(a)(6)(E)(i)(I). Under the FOIA, the term "compelling need" means, with respect to a request made by a person primarily engaged in disseminating information, an urgency to inform the public concerning actual or alleged Federal Government activity. § 552(a)(6)(E)(v)(II). The urgency element of your expedited request is not met because you have not stated an impact your receiving the records in an accelerated time will have. *See Leadership Conference on Civil Rights v. Gonzales*, 404 F. Supp. 2d 246, 260 (D.D.C. 2005).

Since your request does not meet the criteria for expedited review, your request has been placed in the queue for processing in the order in which it was received. We anticipate responding to your request within 20 business days; however, the actual time required to respond to your request depends on the number and types of responsive records identified and located in our records search. Unfortunately, we cannot predict exactly when your request will be processed, as we currently have a large backlog of requests. Please be assured that DHS-OIG will respond to your request as expeditiously as possible. We are using our best efforts to process all requests with due diligence on a first-in, first-out basis. We, therefore, appreciate your patience as we proceed with your request.

In accordance with DHS regulation 6 C.F.R. § 5.11(a), this letter also confirms your agreement to incur all applicable fees involved in the processing of your request, up to the amount of \$25.00. You will be notified should any fees arise.

### **Appeal**

You have the right to appeal DHS-OIG's action regarding your request for expedited processing. Your appeal must be in writing and received within 90 days after the date of this response. Please address any appeal to:

FOIA/PA Appeals Unit  
DHS/Inspector General  
STOP 0305  
245 Murray Lane, SW  
Washington, DC 20528-0305

Both the envelope and letter of appeal must be clearly marked, "Freedom of Information Act." Your appeal letter must also clearly identify DHS-OIG's response. Additional information on submitting an appeal is set forth in the Department of Homeland Security regulations at 6 C.F.R. § 5.8.

### **Assistance and Dispute Resolution Services**

Should you need assistance with your request, you may contact DHS-OIG's FOIA Public Liaison. You may also seek dispute resolution services from our FOIA Public Liaison. You may contact DHS-OIG's FOIA Public Liaison in any of the following ways:

FOIA Public Liaison  
DHS-OIG Counsel  
STOP 0305  
245 Murray Lane, SW  
Washington, DC 20528-0305  
Phone: 202-981-6100  
Fax: 202-245-5217  
E-mail: [foia.oig@oig.dhs.gov](mailto:foia.oig@oig.dhs.gov)

Additionally, the 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

Should you have questions, contact us at 202-981-6100 or [foia.oig@oig.dhs.gov](mailto:foia.oig@oig.dhs.gov). Refer to the above-referenced tracking number if you contact us regarding your request. If we require additional information, we will contact you.

Sincerely,

*Camille Callender*

Camille Callender  
OIG Office of Counsel