

U.S. Department of Homeland Security  
500 12<sup>th</sup> St., SW  
Washington, D.C. 20536



U.S. Immigration  
and Customs  
Enforcement

September 6, 2023

Ms. Jacqueline Stevens  
601 University Place, 2d floor  
Political Science Department  
Evanston, IL 60208

**RE: Stevens v. ICE 20-cv-2725  
ICE FOIA Case Number 2020-ICLI-00042  
Supplemental Release**

Dear Ms. Stevens:

This letter is a supplemental response to your client's Freedom of Information Act (FOIA) requests to U.S. Immigration and Customs Enforcement (ICE). Your client seeks records relating to the following Freedom of Information Act requests: 2018-ICFO-56530, 2020-ICFO-18634, 2019-ICFO-33429, 2019-ICFO-29171, 2018-ICFO-59138, and 2019-ICFO-24680. ICE has considered your request under the FOIA, 5 U.S.C. § 552.

For this production, ICE is making a discretionary re-release of 199 pages of records. ICE has reviewed the pages and determined that 77 pages will be released in full and portions of the remaining 122 pages will be withheld pursuant to FOIA Exemptions (b)(4), (b)(6), (b)(7)(C) and (b)(7)(E) as described below. The pages will retain their original Bates numbers.

**FOIA Exemption 4** protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential. This exemption covers two categories of information in federal agency records: (1) trade secrets; and (2) information that is commercial or financial, obtained from a person (which may include corporations or state governments), and privileged or confidential, which is both customarily and actually treated as private by the submitter of the information. *See Food Marketing Institute v. Argus Leader Media*, 139 S. Ct. 2356, 2362-63 (2019). 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 FOIA Exemptions 6 and 7(C) to protect from disclosure the personally identifiable information of DHS employees and third parties contained within the records.

**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 to privacy. The privacy

interests of the non-public-facing 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 note of the strong interests of individuals, whether they are suspects, witnesses, investigators, or individuals performing their official duties in connection with a law enforcement agency, in not being unwarrantably associated with alleged criminal activity or becoming targets for revenge by begrudged individuals. 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 the non-public-facing 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.

**FOIA Exemption 7(E)** protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. I have determined that disclosure of certain law enforcement sensitive information contained within the responsive records could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

If you have any questions about this letter, please contact Assistant United States Attorney Alex Hartzler at [Alex.Hartzler@usdoj.gov](mailto:Alex.Hartzler@usdoj.gov).

Sincerely,

Marcus K. Francis Sr.  
Supervisory Paralegal Specialist

Enclosure: 199 pages

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. CONTRACT ID CODE	PAGE OF PAGES 1   5
2. AMENDMENT/MODIFICATION NO. P00005	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY ICE/Detention Compliance & Removals Immigration and Customs Enforcement Office of Acquisition Management 801 I Street, NW Suite (b)(6); WASHINGTON DC 20536 (b)(7)(C)	CODE ICE/DCR	7. ADMINISTERED BY (If other than Item 6) ICE/Detention Compliance & Removals Immigration and Customs Enforcement Office of Acquisition Management 801 I Street NW, suite (b)(6); Washington DC 20536 (b)(7)(C)	CODE ICE/DCR
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  DILLEY CITY OF P O BOX 230 DILLEY TX 780170230		(x) 9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)  4-22-2020
CODE 0916926400000 FACILITY CODE		X 10A. MODIFICATION OF CONTRACT/ORDER NO. 70CDCR18DIG000012	10B. DATED (SEE ITEM 13) 09/26/2018

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers  is extended.  is not extended.  
 Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning \_\_\_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)  
See Schedule

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) In accordance with Article 10 of the IGSA 70CDCR18DIG000012

E. IMPORTANT: Contractor  is not.  is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

DUNS Number: 091692640  
 COR: (b)(6); (b)(7)(C)@ice.dhs.gov, 830-378-(b)(6);  
 Alternate COR: (b)(6); (b)(7)(C)@ice.dhs.gov, 210-283-(b)(6);  
 Contracting Officer: (b)(6); (b)(7)(C)@ice.dhs.gov, 202-732-(b)(6);  
 Contract Specialist: (b)(6); (b)(7)(C)@ice.dhs.gov, 202-732-(b)(6);

The purpose of this modification is to increase the rates for CLIN 0001 Residential Beds; CLIN 0003 Transportation over 50,000 miles; CLIN 0005 Guard Rate for up to 10,000 hours; and CLIN 0006 Medical Rovers due to wage determination number 2015-5291, Revision 13 dated Continued ...

Except as provided herein, all terms and conditions of the document referenced in Item 9 A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) JOHN ESTRADA CITY ADMINISTRATOR	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) (b)(6); (b)(7)(C)
15B. CONTRACTOR/OFFEROR 	15C. DATE SIGNED 4-22-2020
15D. UNITED STATES OF AMERICA	16C. DATE SIGNED 4/24/2020

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
70CDCR18DIG000012/P00005

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NAME OF OFFEROR OR CONTRACTOR  
DILLEY CITY OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>7/16/2019. The administrative changes have been incorporated as follows into this modification:</p> <p>a) CLIN 0001 Residential Beds up to 2,400 has been updated to an informational CLIN only with rate information reflected in CLIN 0001A and 0001B.</p> <p>b) CLIN 0001A has been added to reflect the monthly rate of \$12,673,826.53 effective for the period of performance 09/26/2018 through 09/25/2019.</p> <p>c) CLIN 0001B has been added to reflect the monthly rate change from \$12,673,826.53 by \$3,081.17 to \$12,676,907.70 effective for the period of performance 09/26/2019 through 09/22/2021 as a result of the wage determination fringe benefit increase.</p> <p>d) CLIN 0001C has been added to reflect the retroactive backpay amount of \$16,168.98 approved for fringe benefits between 09/26/2019 and 02/29/2020. This is a one time payment to be satisfied on the FY19 Task Order.</p> <p>e) CLIN 0003 has been updated to reflect a per mile rate change from \$6.86 by \$0.01 to \$6.87 effective for the period of performance 09/26/2019 through 09/22/2021.</p> <p>f) CLIN 0005 has been updated to reflect an hourly rate change from \$26.44 by \$0.04 to \$26.48 effective for the period of performance 09/26/2019 through 09/22/2021.</p> <p>g) CLIN 0006 Medical Rovers has been updated to an informational CLIN only with rate information reflected in CLIN 0006A and 0006B</p> <p>h) CLIN 0006A has been added to reflect the monthly rate of \$64,086.32 effective for the period of performance 09/26/2018 through 09/25/2019.</p> <p>i) CLIN 0006B has been added to reflect the monthly rate change from \$64,086.32 by \$117.87 to \$64,204.19 effective for the period of performance 09/26/2019 through 09/22/2021 as a result of the wage determination fringe benefit</p> <p>Continued ...</p>				

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
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NAME OF OFFEROR OR CONTRACTOR  
DILLEY CITY OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>increase.</p> <p>The ceiling price for this IGSA has increased as follows as a result of this modification:</p> <p>FROM: \$ 473,766,664.20                      BY: \$ 79,476.96                      TO: \$ 473,846,141.16                      Period of Performance: 09/26/2018 to 09/22/2021</p> <p>Change Item 0001 to read as follows (amount shown is the obligated amount):</p>				
0001	<p>Residential Beds up to 2,400. This CLIN accounts for security, food, housing, recreation, clothing, pro bono telephone calls, religious meals, and transportation and fuel related expenses to medical and legal/court trips. Obligated Amount: \$0.00                      Product/Service Code: S206                      Product/Service Description: HOUSEKEEPING- GUARD</p>	-36	MO	12,673,826.53	
0001A	<p>Add Item 0001A as follows:</p> <p>Residential Beds up to 2,400.</p> <p>Bed Day Rate effective 09/26/2018 through 09/25/2019:</p> <p>\$12,673,826.53 per Month                      Obligated Amount: \$0.00                      Product/Service Code: S206                      Product/Service Description: HOUSEKEEPING- GUARD</p>				152,085,918.36
0001B	<p>Add Item 0001B as follows:</p> <p>Residential Beds up to 2,400.</p> <p>Bed Day Rate effective 09/26/2019 through 09/22/2021:</p> <p>12,676,907.70 per Month                      Obligated Amount: \$0.00                      Product/Service Code: S206                      Product/Service Description: HOUSEKEEPING- GUARD</p>				304,245,784.80
	<p>Add Item 0001C as follows:                      Continued ...</p>				

CONTINUATION SHEET

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NAME OF OFFEROR OR CONTRACTOR  
DILLEY CITY OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
0001C	<p>This CLIN is administrative in nature and accounts for the \$16,168.98 in retroactive backpay for increased fringe benefits 09/26/2019 through 02/29/2020. This is a one time payment that will be satisfied on the current task order. Obligated Amount: \$0.00 Product/Service Code: S206 Product/Service Description: HOUSEKEEPING- GUARD</p>				0.00
0003	<p>Change Item 0003 to read as follows (amount shown is the obligated amount):</p> <p>Transportation Over 50,000 miles</p> <p>This transportation CLIN accounts for all expenses (including fuel) associated with transportation over 50,000 miles</p> <p>The rate per mile for CLIN 0003 has increased as follows:</p> <p>FROM: \$ 6.86 BY: \$ 0.01 TO: \$ 6.87 Obligated Amount: \$0.00 Product/Service Code: S206 Product/Service Description: HOUSEKEEPING- GUARD</p>				1,030,500.00
0005	<p>Change Item 0005 to read as follows (amount shown is the obligated amount):</p> <p>Guard Rate</p> <p>This CLIN provided a fully burdened labor rate for up to 10,000 hours of guard services</p> <p>The hourly rate for CLIN 0005 has increased as follows effective 09/26/2019:</p> <p>FROM: \$ 26.44 BY: \$ 0.04 TO: \$ 26.48 Obligated Amount: \$0.00 Product/Service Code: S206 Product/Service Description: HOUSEKEEPING- GUARD</p> <p>Change Item 0006 to read as follows (amount shown Continued ...</p>				794,400.00

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
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NAME OF OFFEROR OR CONTRACTOR  
DILLEY CITY OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	is the obligated amount):				
0006	Medical Rovers Obligated Amount: \$0.00 Product/Service Code: S206 Product/Service Description: HOUSEKEEPING- GUARD	-36	MO	64,086.32	
	Add Item 0006A as follows:				
0006A	Medical Rovers Rate effective 09/26/2018 through 09/25/2019: \$64,086.32 per Month Obligated Amount: \$0.00 Product/Service Code: S206 Product/Service Description: HOUSEKEEPING- GUARD				769,035.84
	Add Item 0006B as follows:				
0006B	Medical Rovers Rate effective 09/26/2019 through 09/22/2021: \$64,204.19 per Month Obligated Amount: \$0.00 Product/Service Code: S206 Product/Service Description: HOUSEKEEPING- GUARD				1,540,900.56
	All other terms and conditions of this IGSA remain unchanged.				