



U.S. Immigration
and Customs
Enforcement

December 15, 2022

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**RE: Community Justice Exchange et al v. ICE and DHS 3: 22-cv-02328
ICE FOIA Litigation Case Number 2022-ICLI-00039
Fourth Interim Response**

Dear Ms. Crump:

This letter is the fourth interim response to your client's Freedom of Information Act (FOIA) requests to U.S. Immigration and Customs Enforcement (ICE). Your client seeks records related to Immigration & Customs Enforcement (ICE's) use of B.I. Incorporated's SmartLINK Application for the Intensive Supervision Appearance Program (ISAP).

ICE has considered this request under the FOIA, 5 U.S.C. § 552, and processed 222 pages of potentially responsive records. After review, ICE has determined that 100 pages will be released in full and portions of the remaining 3 pages will be withheld pursuant to FOIA Exemptions (b)(7)(E) as described below. These pages have been Bates stamped 2022-ICLI-00039 0199 to 2022-ICLI-00039 0301.

Please note that 119 pages have been sent to BI Incorporated for consultation. Those pages will be produced after consultation

ICE has applied FOIA Exemption 7(E) to protect from disclosure internal agency case numbers contained within the document.

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 Ms. Kelsey Helland at Kelsey.Helland@usdoj.gov

Sincerely,

Marcus K. Francis, Sr.
Supervisory Paralegal Specialist

Enclosure: 103 pages