



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

July 7, 2015

Nathan Freed Wessler
Staff Attorney
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

RE: 2015-ICAP-00433, 2015-ICFO-07629

Dear Mr. Wessler:

This is in response to your letter dated May 18, 2015, appealing the adverse determination regarding your Freedom of Information Act/Privacy Act (FOIA) request filed with U.S. Immigration and Customs Enforcement (ICE). Your FOIA request, dated November 19, 2014, sought documents concerning the acquisition, possession, and use of cell-site simulators deployed on aircraft.

In ICE FOIA's final response letter dated April 30, 2015, you were advised a search of the ICE Office of Policy, ICE Office of Homeland Security Investigations, ICE Office of Acquisition Management, and ICE Office of Principal Legal Advisor (OPLA) for records responsive to your request was completed and no responsive records were located. In correspondence dated May 18, 2015, you appealed the adequacy of the search performed by the ICE FOIA Office claiming that ICE did not conduct an adequate search for records.

In response to your appeal, ICE conducted a thorough review of the administrative record and determined that new search(s) or, modifications to the existing search(s), could be made. We are therefore remanding your appeal to the ICE FOIA Office for processing and re-tasking to the appropriate office(s) to obtain any responsive documents. The ICE FOIA Office will respond directly to you.

However, you may also wish to consider filing a FOIA request with Department of Homeland Security (DHS) or another one of the U.S. Department of Homeland Security's agency components, such as U.S. Customs and Border Protection (CBP). Note that FOIA requests are processed separately at the Headquarters level and at each component. A FOIA request with DHS may be filed at the below address:

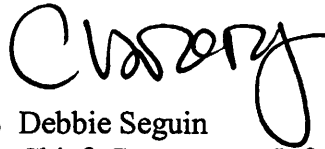
Karen Neuman
Chief Privacy Officer/Chief FOIA Officer
The Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655

Likewise, a FOIA request with CBP may be filed at the below address:

U.S. Customs and Border Protection
FOIA Officer
90 K Street NE, 9th Floor
Washington, D.C. 20229-1181

Should you have any questions regarding this appeal remand, please contact ICE at ice-foia@dhs.gov. In the subject line of the email, please include the word "appeal," your appeal number, which is **2015-ICAP-00433**, and the FOIA case number, which is **2015-ICFO-07629**.

Sincerely,



Debbie Seguin
Chief, Government Information Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security