



Attn: Scott Gammel
England Economic and Industrial Development District
1611 Arnold Drive
Alexandria, LA 71303
Fax: 318-449-3506
sgammel@englandairpark.org

Sent by email and fax

Friday, December 21, 2018

RE: Public Information Request Regarding 12/7/2017 Deportation Charter Flight

To the Custodians of Records for England Authority/Alexandria International Airport:

This letter constitutes a request for public records¹ under the Louisiana Public Records Law, L.R.S. Title 44. It is the policy of Louisiana that all public bodies, including any “commission, district, governing authority, or political subdivision” must respond to such requests within three days. *Id.*

Muslim Advocates (“Requestors”) request copies of public records that are maintained by or that are in the custody or control of England Economic and Industrial Development District and its subdivisions, committees, subcommittees, boards or other divisions thereof (“Recipients”) pertaining to a deportation charter flight that left Alexandria International Airport the morning of December 7, 2017.

I. Background

This request concerns a failed deportation charter flight that was meant to deport more than 90 Somali men and women from the United States. The charter flight staged at or near England Airpark or Alexandria International Airport, Louisiana. The flight left the United States the morning of December 7, 2017. Next, the flight made a stopover in Senegal, where it sat on the tarmac for more than 20 hours. The flight turned back to Miami with detainees still aboard, and arrived at a Miami airport in the early morning of December 9th, 2017.

II. Requested Records

¹ “Public records” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. FLA. STAT. §119.011(12).

Requestors request copies of records meeting the following description:

1. Records² maintained by Recipients about the December 7th flight.
2. Air traffic control records³ for December 7th, 2017 for all outbound flights destined for or making stops in Africa. Such air traffic information includes but is not limited to:
 - a. Records about the flight operator (e.g. name, address, contact information);
 - b. Records about the airmen/women and crew operating the flight (e.g. names, license numbers);
 - c. The flight manifest;
 - d. The registration and/or certificate numbers of the aircraft;
 - e. Video and/or photos of staging, boarding, and departure of the flight;
 - f. Audio recordings.
3. Original “written agreements”⁴ between the (1) Recipients and (2) the Department of Homeland Security, Immigrations and Customs Enforcement (including sub-agencies such as ICE-Air), or any private charter company that may operate deportation charter flights under the agreement.⁵
 - a. This request includes any related annexes, attachments, subsequent addenda, or riders.
4. All registration information maintained by the Executive Director or designee for any firm association, corporation, sub-contractor, or other entity that has operated deportation charter flights in the last two years.⁶

² Throughout this request, the terms “records” is intended in the broadest possible sense and includes without limitation all records or communications preserved in electronic or written form, including but not limited to correspondence, regulations, directives, documents, data, videotapes, audiotapes, e-mails, faxes, files, guidance, guidelines, standards, evaluations, instructions, analyses, legal and policy memoranda, minutes or notes of meetings and phone calls, memoranda, agreements, notes, orders, policies, procedures, protocols, reports, rules, manuals, technical specifications, training materials or studies, including records kept in written form, or electronic format on computers and/or other electronic storage devices, electronic communications and/or videotapes, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations. No category of material should be omitted from search, collection, and production.

³ According to airport rules, pilots shall not initiate taxi until approved to do so by air traffic control tower personnel. This applies whether the pilot intends to taxi to takeoff, taxi to another location on the airport or taxi for maintenance purposes. Alexandria Int'l Airport Rules & Regulations, Section 4, Rule 30(b).

⁴ According to airport rules, no person, firm, association, corporation, sub-contractor, or other entity, incorporated or otherwise, shall use the airport for any commercial activity or otherwise, unless approved by “Written Agreement.” Alexandria Int'l Airport Rules & Regulations, Section 1, Rule 4 (defining “Written Agreement.”).

⁵ For example Omni Air/Omni Air International, Million Air, Swift Air or any other deportation charter operator.

⁶ For example Omni Air/Omni Air International, Million, Air, Swift Air, or any other deportation charter operator.

5. Copies of the Alexandria International Airport Certification Manual, Alexandria International Airport Emergency Plan and the Alexandria International Airport Security Plan.

III. Where to Send Response

Where possible, please provide response letters and responsive material in electronic format by email to yusuf@muslimadvocates.org. Please furnish any responsive material being sent by mail to:

Joseph (Yusuf) Saei
Muslim Advocates
PO Box 34440
Washington, DC 20043

Requestors ask for a waiver of all fees in that the disclosure of the requested information is in the public interest and that access to the information primarily benefits the general public. The agency “may” assess “reasonable” fees but is not required to do so to do so. *See L.R.S. § 44.32.* Muslim Advocates is a 501(c)(3) non-profit organization dedicated to preserving religious freedom for Americans of all faiths. This request is likely to contribute significantly to public understanding of the operations or activities of the government and is not in the commercial interest of the Requestors. Requestors also request a waiver of search fees on the grounds that they qualify as representatives of the news media for federal FOIA purposes, as the requestors gather information, exercise editorial discretion in selecting and organizing documents and distribute the resulting work to the public. In light of these considerations, fees associated with responding to the request should be waived. In the event that you do assess fees, please inform Requestors in writing if the estimated fees will exceed 100 dollars.

IV. Enforcement

Any person who has been denied the right to inspect, copy, reproduce, or obtain a copy or reproduction of a record under the Louisiana Public Records Law, “either by a determination of the custodian or by the passage of five days . . . may institute proceedings for the issuance of a writ of mandamus, injunctive or declaratory relief, together with attorney fees, costs and damages as provided for by this Section, in the district court for the parish in which the office of the custodian is located.” L.R.S. §44.35.

If a person seeking the right to inspect, copy, or reproduce a record or to receive or obtain a copy or reproduction of a public record prevails in such suit, he shall be awarded reasonable attorney fees and other costs of litigation. If such person prevails in part, the court may in its discretion award him reasonable attorney fees or an appropriate portion thereof.” L.R.S. §44.35(D).

V. Conclusion

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under

the law. In the event you believe any part of the requests may be withheld, redacted, or denied, we ask that you segregate public information from information that may be withheld and promptly provide that public information.

Thank you for your assistance with our request. Please do not hesitate to reach out to me if you have questions about our request.

Sincerely,



Joseph (Yusuf) Saei*

Yale Liman Fellow
Muslim Advocates
PO Box 34440

Washington, DC 20043

**Admitted in California, supervised by members of the D.C. bar*