

Exhibit 4



U.S. Department of Justice
Executive Office for Immigration Review
Office of the General Counsel

5107 Leesburg Pike, Suite 2150
Falls Church, Virginia 22041

October 13, 2020

Via E-mail at morgan@tahirih.org

Morgan Weibel
Tahirih Justice Center
881 Sneath Lane, Suite
115 San Bruno, CA 94066

Re: FOIA 2020-60001

Dear Ms. Weibel:

This letter is in response to your Freedom of Information Act (FOIA) request dated July 1, 2020, received July 2, 2020, to the Executive Office for Immigration Review (EOIR) in which you seek the following:

1. Any and all communications to/from EOIR personnel Director James McHenry, former Acting Deputy Director Sirce Owen, Acting Deputy Director Marlene Wahowiak, Chief of Staff Kate Sheehey, and Assistant Director Lisa Ward regarding the AIJ hiring process
2. Any and all communications to/from EOIR personnel the General Counsel, the Chief of Employee Labor Relations and Director James McHenry regarding the AIJ hiring process
3. Any and all communications to/from EOIR or JMD personnel Assistant Director Lisa Ward, Assistant Attorney General Lee Loftus, Deputy Assistant Attorney General Michael Allen regarding the AIJ hiring process

As you are aware, your request required clarification and was put hold on by letter dated July 9, 2020. We discussed the deficiencies of this request during a phone conversation on September 3, 2020 and again requested that you clarify your request. Specifically, we discussed that the request as filed is: (1) overbroad and unreasonably burdensome, e.g., the language “any and all”; (2) seeks records – assuming any exist – all or the majority of which may be protected by the attorney-client privileged; and (3) seeks records – assuming any exist – in which another DOJ component JMD has equities and would have to referred to that component for a release determination and direct response to you.

Since we have not heard back from you, we assume that you are no longer interested and your request has been administratively closed.

Letter to Morgan Weibel
Subject: 2020-60001

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You may contact the EOIR FOIA Public Liaison at (703) 605-1297 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

If you are not satisfied with the Executive Office for Immigration Review's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

SHELLEY O'HARA

Digitally signed by SHELLEY
O'HARA
Date: 2020.10.13 15:58:48 -04'00'

Shelley M. O'Hara
Attorney Advisor (FOIA)