

EXHIBIT C

URGENT APPEAL OF SOUTHCOM FOIA OFFICER'S DECLARATION,
"Here, a compelling need is not demonstrated" in SC 17-016-S dated Nov. 23, 2016

Ms. Joo Chung
Director of Oversight and Compliance
Office of the Secretary of Defense

cc: Mr. Jim Hogan
FOIA Liaison Officer

ODCMO Directorate for Oversight and Compliance
4800 Mark Center Drive
Attn: DPCLTD, FOIA Appeals,
Mailbox #24
Alexandria, VA 22350-1700

Dear Ms. Chung:

Please consider this urgent appeal of Marco Villalobos' finding of "Here, a compelling need is not demonstrated" in our request for expedited processing of records involving a potential appointment of Mr. Villalobos' former boss to the Trump administration. (Denial attached.)

Mr. Villalobos offers two potential categories of cause for expedited processing, of which the second category clearly covers our request. Mr. Villalobos notes that, as a result of his denial

- he can't predict when he will have completed his work
- our request does not qualify under his interpretation of "a member of the news media has an urgent need for information that has a particular value that will be lost if not disseminated quickly to inform the public concerning actual or alleged federal government activity."

We seek records of actual federal government activity -- email records between a retired general, Mr. Villalobos' boss until not so long ago at Southern Command, and a White House official that will demonstrate to the public the general's opinions and activities at a time when the general is being considered for a Cabinet level or White House position. This is actual federal government activity, sought on an urgent basis because of a compelling public interest to inform the public.

I would urge you to review this decision and investigate whether Mr. Villalobos, based on this odd rejection, can be considered an independent, fair broker on this request. Also of concern to me is whether Mr. Villalobos has a particular bias toward my FOIAs in light of recent litigation over a longstanding unfulfilled FOIA. Litigation is a legitimate recourse in instances when the FOIA officer has been non-responsive or unable to meet statutory deadlines.

Thank you kindly for all sincere consideration,

/s/ Carol Rosenberg
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