

EXHIBIT N



OVERSIGHT AND
COMPLIANCE

OFFICE OF THE CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

MAY 09 2018

Ref: 18-AC-0054
CENTCOM # 18-0296

Mr. Adam Marshall
Knight Foundation Litigation Attorney
The Reporters Committee for Freedom of the Press
1156 15th St. NW, Suite 1250
Washington, DC 20005

Dear Mr. Marshall,

This responds to your April 11, 2018 Freedom of Information Act (FOIA) appeal. You are appealing the United States Central Command's (USCENTCOM) decision to deny your request for expedited processing of your March 29, 2018 FOIA request.

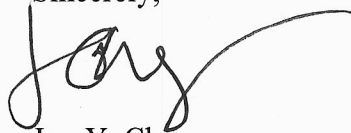
I reviewed your appeal at the appellate level and determined that your request for expedited processing should continue to be denied. You sought expedited processing on the basis of compelling need. Department of Defense (DoD) Regulation 32 Code of Federal Regulations §286.8(e)(i)(B), states that compelling need means that "the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged government activity." The DoD generally uses a standard in which urgently needed means that "the information has a particular value that will be lost if not disseminated quickly." In order to determine "compelling need", the DoD has a three-pronged test to decide whether or not the information is "urgently needed." The three prongs of the test are as follows:

1. Whether the request concerns a matter of current exigency to the American public.
2. Whether the consequences of delaying a response would compromise a significant recognized interest.
3. Whether the request concerns actual or alleged federal government activity.

I have concluded that your initial request does not meet the first and second prongs of the test. With regard to the first prong, "a matter of current exigency" has been interpreted by courts to mean a breaking news story of wide and immediate public interest drawing heavy national media coverage at the time of the request. Since you have not demonstrated a compelling need for the information, USCENTCOM will continue to process the request in its standard queue.

You have the right to judicial review of this decision in a United States District Court, in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read 'Joo Y. Chung', with a long, sweeping horizontal line extending to the right.

Joo Y. Chung
Director

cc:
USCENTCOM