

EXHIBIT B

to Complaint



August 8, 2018

BY ELECTRONIC MAIL

National Freedom of Information Officer
U.S. Department of Defense
Department of the Air Force
SAF/AAlI (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000

usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil

Re: Request for Information Regarding Fort Bliss and Goodfellow Air Force Bases

Dear FOIA Officer:

On behalf of Alianza Nacional de Campesinas (Alianza), GreenLatinos, Hispanic Federation (HF), the Labor Council for Latin American Advancement (LCLAA), the National Hispanic Medical Association (NHMA), and Southwest Environmental Center (SWEC), Earthjustice hereby requests information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the pertinent U.S. Department of Defense (DOD) regulations, 32 C.F.R. Parts 285, 286. **This is a request for expedited processing pursuant to 32 C.F.R. § 286.8 and 28 C.F.R. § 16.5(d)(1)(iv).**

Due to the extremely time-sensitive nature of this request, we are not requesting a fee waiver at this time, although we believe we are entitled to such a waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 32 C.F.R. § 286.12(l). We request that you produce documents as soon as possible and notify us if the fee exceeds \$500.00.

I. RECORDS REQUESTED

This FOIA request seeks multiple records concerning toxic waste sites at Fort Bliss and Goodfellow Air Force Bases, where the Trump Administration will soon be constructing tent shelters for the purpose of holding thousands of immigrant children and families. These waste sites have the potential to cause dangerous human exposure to toxic chemicals via air, water and soil to migrants housed in tent encampments and to workers constructing the detention camps. Because the Trump Administration plans to construct and house immigrant children and families on a greatly expedited schedule, timely receipt of the following information is required to inform the public of potential adverse impacts and to ensure the safety of those detained and those constructing the encampments.

A. Documents concerning the Fort Bliss Air Force Base

1. This FOIA request seeks the following documents pertaining to the eight areas under investigation described in the Fort Bliss Restoration Advisory Board document, available at <https://www.bliss.army.mil/dpw/Environmental/documents/2016%20RAB%20-%20Presentations.pdf>. Please provide “draft” and “final” copies of all requested documents:

a. Snake Pit Site: Please provide all data, data analysis, reports, radiation surveys, subsurface investigations, findings, decision documents, recommendations, remedial action plans, and documentation of remedial action for the “Snake Pit Site,” which was an Operational Storage Site location for nuclear weapons, comprised of approximately 189 acres at the former U.S. Biggs Army Air Field. Investigators found 10 areas that may exceed action levels for radioactivity at the site.

b. Fort Bliss Former Maneuver Area A (Site ID FTBLS-002-R-01): Please provide the 2014 Remedial Investigation Report, 2015 Feasibility Study, Proposed Plan completed in 2016, and the Decision Document pertaining to the Fort Bliss Former Maneuver Area A and the surface clearance and subsurface removal of munitions and explosives occurring in Area A. This former munitions response area (MRA) encompasses 72,520 acres. This area was used for military training from 1939 to the 1970s. Discrete locations within this MRA are suspected to contain unexploded ordnances, discarded military munitions, high explosives, bombs, and munitions constituents.

c. Biggs Open Burn (OB)/Open Detonation (OD) Site I ((Site ID FTBLS-006-R-01): Please provide the Remedial Investigation (RI) completed to evaluate the nature and extent of munitions and explosives of concern (MEC) and potential munitions constituents (MC) in soil; the Feasibility Study (FS) based on the RI, any decision documents arising from the RI and FS, including Remedial Design (RD) report and any remedial action documentation based on activities conducted pursuant to the decision documents. Biggs OB/OD Site I is a 40-acre area filled with mounds of several types of detonated/burned munitions, as well as unknown buried waste in trenches and detonation pits. This unknown debris is suspected to contain munitions and explosives of concern (MEC) or materials presenting potential explosive hazard (MMPEH), large amounts of munitions debris (MD) and other debris scattered across the surface of the site. In addition to the debris, soil contamination by OB/OD may include release of carcinogens (DNT, RDX, TNT), developmental neurotoxicants (lead, arsenic, mercury), endocrine disrupters (dioxins, PAHs, perchlorate), particle pollutants, respiratory irritants (sulphur dioxide, nitrogen oxides), and toxic metals (cadmium, chromium, nickel, copper, barium, lead).

d. Biggs Open Burn Site II (Site ID FTBLS-006-R-02): Please provide the Site Inspection (SI) completed to evaluate the presence of MEC and MC, data or surveys associated with MEC and MC investigations, “Phase II” activities report, Remedial Investigation (RI), Feasibility Study (FS), decision documents relating to the SI, RI and FS, including Remedial Design (RD) report, and any documentation of remedial actions

taken. Open Burn Site II is a 14-acre area containing unknown burned debris potentially containing munitions and trenches with unknown buried waste.

e. Far East Illegal Dump Sites (Site ID CCFTBL-001): Please provide the Preliminary Assessment performed in 2014, soil sampling and analysis fieldwork performed in 2017, Remedial Investigation (RI), Feasibility Study (FS), decision documents relating to the Preliminary Assessment, RI and FS, including Remedial Design (RD) report, and any documentation of remedial actions taken. The Far East Illegal Dump Sites comprise a 2.24-acre area that served as an illegal dumping site for medical waste, lead acid batteries, electronic components, tires, burned materials, asbestos, and petroleum. Testing has shown levels of pesticides, volatile organic compounds, and metals above the Texas protective levels.

f. Oro Grande Landfill (Site ID FTBL-014): Please provide the closure report, decision documents, including Remedial Design (RD) report, and any documentation of remedial action taken at the landfill. Past investigations at the Oro Grande Landfill found that the landfill is composed of buried waste material including wood, plastic, paper, scrap metal, and demolition debris.

g. Closed Castner Firing Range ((Site ID FTBLS-004-R-01): Please provide the Phase II Analytical Results, Remedial Investigation (RI) to determine the nature and extent of MEC and MC, Minutes of the Castner Range Public Meeting held after completion of the draft RI report, Feasibility Study, decision documents including development of cleanup alternatives, and any documentation of remedial actions taken, including munitions removal and/or remediation. The Castner Firing Range consists of 8,325 acres that were heavily used as a small arms, range and artillery firing and impact area from 1926-1966. The RI investigated extent of munitions, munitions debris, unexploded ordinances, soil, subsurface, surface water, and groundwater contamination at the site.

h. Area of Interest North of Castner Range (Site ID FTBLS-007-R-01): Please provide the Final Project Management Plan (PMP), Draft Explosives Site Plan (ESP), Historical Records Report (HRR); Community Relations Plan (CRP), Preliminary Assessment, Site Inspection, Minutes of Public Meeting(s); Remedial Investigation, Feasibility Study, Proposed Plan, Decision Documents, Remedial Design, and documentation of Remedial Action. This site comprises 4,909 acres where evidence of munitions debris including high explosive munitions were discovered.

2. Please provide any additional Preliminary Assessments, Site Investigations, and Remedial Investigations of areas known or suspected of being impacted by MC or MEC at Fort Bliss, which are not specifically named above.

3. Please provide any records of phone calls and other documents regarding Fort Bliss' 24-hour call center that was created for those who believe they may have been exposed to contaminated materials.

4. We request that you provide any maps or plans indicating the location at Fort Bliss of the migrant detention camp, including residential tents that are scheduled for construction. The maps or plans should clearly indicate the location of the camp on the base.

5. We request that you provide data regarding the testing of environmental media at and surrounding the proposed housing area. Please provide results from all testing of soil, subsurface conditions, groundwater, surface water and air for hazardous substances, including, but not limited to radiation, gases, fuel, munitions debris, and munitions constituents, which has been conducted in and around the area where the temporary tent housing will be constructed. The results of testing shall include environmental media on and below the footprint of the proposed housing area and the area within a quarter-mile radius from the construction footprint.

6. Please provide the Environmental Assessment and Environmental Impact Assessment completed for the proposed construction of temporary housing for immigrant children and families at Fort Bliss AFB.

B. Documents concerning the Goodfellow Air Force Base

1. **Southeast Landfill (LF-02):** Please provide records pertaining to the remediation of the 37-acre Southeast Landfill, a closed but uncapped landfill which is located directly adjacent to the planned detention center. Contents of the landfill may include industrial waste and unknown containerized liquids. Specifically, we request the “Performance-Based Remediation (PBR) at Texas Bases,” dated May 2018 and any other documents relating to final closure, groundwater monitoring, potential vapor intrusion, landfill gas production and release, and characterization of the soil cover and remaining wastes.

2. **Former Small Arms Range/Outdoor Firing Range (AOC-13):** Please provide the final technical memorandum (May 2008) relating to the remediation of the former small arms range/outdoor firing range (AOC-13), which was discovered to be contaminated with elevated concentrations of lead, arsenic, antimony, zinc and copper. Please provide the most recent soil sampling results for the above-named metals and any other constituents that exceeded safe levels for residential soil.

3. **PFOS and PFOA Exposure:** Please provide all records discussing or concerning the results of the investigations of “Known or Suspected Release of PFOS or PFOA” at Goodfellow Air Force Base, as referenced on page 4 of Appendix C to the Aqueous Film Forming Foam Report to Congress, dated October 2017, cleared for publication November 3, 2017 (the “Report”). The Report is located at <https://www.denix.osd.mil/derp/home/documents/aqueous-film-forming-foam-report-to-congress/>.

4. **Data regarding testing of environmental media at and surrounding the proposed housing area:** Please provide results from all testing of soil, subsurface conditions, groundwater, surface water and air for hazardous substances, including, but not limited to radiation, gases, fuel, munitions debris, and munitions constituents, which has been conducted in and around the area where the temporary tent housing will be constructed. The results of testing shall include

environmental media on and below the footprint of the proposed housing area and the area within a quarter-mile radius from the construction footprint.

C. Requests Concerning both Fort Bliss and Goodfellow Air Force Bases

1. Supply all reports or findings related to environmental hazards or concerns that pertain to the site of the proposed migrant detention centers at Fort Bliss and Goodfellow bases.

2. Provide any information related to testing that has been conducted for health and environmental hazards that uniquely impact women and children on the premises that have been identified for the Fort Bliss and Goodfellow Migrant Detention Centers.

3. Provide any documentation, reports or other information related to the type of dwellings that will be constructed on the proposed Fort Bliss and Goodfellow Migrant Detention Centers.

4. Provide all documentation related to the expected or actual date of occupancy of the Fort Bliss and Goodfellow Migrant Detention Centers, the number of expected occupants (including numbers of adults and minors), and the number of single and family dwellings.

5. Provide any documentation related to the last date that documents have been purged or destroyed as related to environmental reports or hazards on the Fort Bliss and Goodfellow bases, the type of documents, a description of the documents and the individual(s) responsible for requesting the destruction or purge of said documents.

6. Provide any information related to the number of workers who will be employed in the construction of the migrant detention camps at Fort Bliss and Goodfellow, the type of workers, the length of time for which they will be employed and any job descriptions related to their role/function to build the detention camp.

Finally, this request seeks the U.S. Navy draft or final planning memorandum that identifies the specific DOD facilities at which migrant detention centers may be constructed pursuant to the President's 2018 "zero-tolerance" policy. The document requested is referenced here: <http://time.com/5319334/navy-detainment-centers-zero-tolerance-immigration-family-separation-policy> and <https://www.washingtonpost.com/news/checkpoint/wp/2018/06/21/pentagon-asked-to-make-room-for-20000-migrant-children-on-military-bases/>. This request seeks any and all memorandums regarding the migrant detention centers on any DOD facilities.

We define "records" to include all data, analyses, studies, articles, correspondence (including emails, telephone messages, text messages, and internet "chat" or social media messages), memoranda, reports, notes, notices, meeting notes, calendars, telephone logs, telefaxes, photographs, videos, maps, diagrams and other records, whether paper or electronic. This request applies to any records within, or exchanged between, the following DOD offices: the U.S. Air Force Safety Center, the Public Health Command, the Army Environmental Command, and any other divisions that have been involved in the investigation of contamination at Fort Bliss.

In the event that any requested document is claimed exempt from disclosure, please identify each allegedly exempt record in writing, provide a brief description of that record, and explain the agency's justification for withholding it. If a document contains both exempt and non-exempt information, please provide those portions of the document that are not exempted from disclosure. Finally, if a document does not exist, please indicate that in your written response.

We remind you that we have requested expedited processing of this FOIA request. Pursuant to 32 C.F.R. § 286.8(e)(1), DOD must make an expedited processing determination within 10 calendar days after receipt of this request. If DOD grants expedited processing, the request must be processed as soon as practicable. We ask that you disclose the requested information as it becomes available to you without waiting until all of the records have been assembled. To the extent responsive records are available in an electronic format, we would prefer to receive electronic versions of the records in native-file format.

II. REQUESTERS

The following groups request the above-described information and documents:

A. Alianza Nacional de Campesinas

Alianza Nacional de Campesinas is a national farmworker women's organization that was founded in 2011 to address and advance the rights more than 700,000 farmworker women in the United States through its national coalition. Alianza's members include groups and individuals that are located in El Paso, Texas, an area that will be directly impacted by the proposed migrant detention center at Fort Bliss Army base. Since it was founded in 2011, Alianza has called for the fair treatment of immigrant women and children, including refugees and asylees, improved immigration protections and more expedient processing of immigration petitions for those seeking relief.

Alianza has a specific interest in this matter, as many of the women and children who are fleeing their home countries come from rural communities in Latin America, much like the rural communities from which Alianza's members migrated to the U.S. They have fled their countries of origin to escape gender-based violence, risk of gang violence, natural disasters and other factors that make it impossible for them to continue to live in their countries of origin. Alianza also has deep concern for individuals living along the U.S.-Mexico border who have been impacted by US immigration policy, as well as those living in rural communities. Its members have extensive experience living in these communities and working on both environmental issues and immigration advocacy at the local level.

As a part of its immigration advocacy efforts, Alianza has been part of a broad coalition that has advocated closing family detention centers, and it has raised concerns about violence against immigrant women and children in immigration detention. Most recently, it has called on the United States to respect the rights afforded to refugee and asylum seekers as provided under

US immigration law, and it has repeatedly raised its concerns about the safety of the immigrant children who have been separated from their parents under Trump's zero tolerance policy.

Alianza seeks information through this FOIA request to better understand the government's analysis of any potential environmental and health hazards that might exist on the premises where these camps are expected to be constructed, particularly as it relates to women's reproductive health, neurological impacts and other potential health consequences. In addition, Alianza seeks information about any analysis or known information related to emerging environmental hazards or risks to the communities surrounding the migrant detention camp location.

Alianza is a non-profit, social good organization. Alianza intends to share the information that it obtains through this request to educate farmworker women and other community members. Alianza will disseminate this information through its social media platforms and direct educational efforts with its members across the US, including some members living in and around Fort Bliss who could be directly impacted by the construction of these camps, as well as to its media contacts and through mass distribution using its mailing list, among other efforts.

B. GreenLatinos

GreenLatinos is a national nonprofit organization that convenes a broad coalition of Latino leaders committed to addressing national, regional and local environmental, natural resources and conservation issues that significantly affect the health and welfare of the Latino community in the United States. GreenLatinos seeks to provide an inclusive table at which its members establish collaborative partnerships and networks to improve the environment; protect and promote conservation of land and other natural resources; amplify the voices of minority, low-income and tribal communities; and train, mentor, and promote the current and future generations of Latino environmental leaders for the benefit of the Latino community and beyond.

GreenLatinos believes that Latino communities, regardless of immigration status, and all those residing in the United States should live in environmentally healthy, just, and vibrant communities, with access to clean air, clean water, and public lands in which to connect spiritually, culturally, and recreate within. Recent media investigations and reporting have shown that those being held in immigration detention centers are being exposed to conditions that grossly violate human rights and environmental standards. GreenLatinos is concerned about the siting of detention centers on or near military bases that are EPA-designated Superfund sites, have violated the Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act historically, and in multiple cases have exposed those who reside or work on bases to toxic chemicals and polluted water that have resulted in health issues including cancer, asthma, lung disease and much more. Given the Trump Administration's proposal to use federal military bases, such as the Fort Bliss and Goodfellow Air Force Bases, as additional sites for immigration detention, GreenLatinos is interested in ensuring a proper and transparent environmental investigation and analysis is done to ensure the health and safety of detainees.

GreenLatinos has demonstrated ability and the clear intent to timely disseminate information received from this FOIA request to a broad audience of persons interested in the

subject – including its members, national and local ally organizations who have significant memberships and constituencies interested in this issue, and members of the media who regularly cover immigrant detention. In addition, GreenLatinos has the ability and intent to share the information we obtain to the public by means of email, website posts, social media posts, and in-person communication including at the organization's National Summit.

C. Hispanic Federation

Founded in 1990, Hispanic Federation is one of the nation's leading Latino nonprofit membership organizations with 100-plus member organizations. Through headquarters in New York, and offices in Washington D.C., Connecticut, Florida, and Puerto Rico, and a program footprint in 20 states with significant Latino and immigrant populations, HF works to support Hispanic and immigrant families and strengthen Latino institutions in the areas of education, health, immigration, civic engagement, economic empowerment, and the environment. Federal immigration law and policy continues to be a top priority for the Latino community. HF believes our immigration, asylum, and environmental policies must respect the dignity of the individual, end the criminalization of Hispanic immigrants and asylum-seekers, and most of all, reflect our nation's commitment to human and civil rights. Those rights include the right to live free from environmental contaminants that are harmful to health and well-being.

HF has worked for years using both legislative and grassroots advocacy to support passage of immigration policies that are humane and that provide solutions to fix our broken immigration system. As co-chair of both the Energy and Environment and Immigration Committees of the National Hispanic Leadership Agenda, a broad coalition of 46 national Latino organizations, HF has been a leading Latino voice in rapid response efforts regarding anti-immigrant legislation as well as legislation that causes environmental harm. HF has been present at every major mobilization in support of Dreamers in Washington, D.C., and, most recently, participated in protests at the El Tornillo Detention Center in El Paso, Texas.

Hispanic Federation is one of the co-founders of a large and diverse [intersectional coalition](#) of environmental, civil rights, wildlife, faith, and border community and immigration groups leading opposition to the president's quest to increase funding for a wasteful border wall that would divide communities and wreak environmental havoc. That opposition includes funding for an increase in immigration detention beds.

Hispanic Federation is a nonprofit organization with a mission to protect and promote the public interest especially as it relates to immigrant and Latino communities. HF has extensive outlets for public education and information dissemination and intends to make any information received available to its constituents, and to the broader public, as widely as possible, and at no charge. HF intends to use its mailing lists, social media platforms, website, and broad network of member organizations, political colleagues and press to disseminate information it receives.

D. Labor Council for Latin American Advancement

The Labor Council for Latin American Advancement is the leading national organization for Latino(a) workers and their families. LCLAA was born in 1972 out of the need to educate, organize and mobilize Latinos in the labor movement and has expanded its influence to organize Latinos in an effort to impact workers' rights and their influence in the political process. LCLAA represents the interest of more than 2 million Latino workers in the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), the Change to Win Federation, Independent Unions and all its membership.

LCLAA has been committed to family reunification and to defending immigrant rights for a long time. The organization has organized and participated in a number of events aimed at condemning this administration's treatment of immigrants. Among them, LCLAA led a rally in support of immigrant families as part of the Families Belong Together day of action. LCLAA also joined the protest and rally at the U.S.-Mexico border in Tornillo, TX to demand immediate family reunification for those immigrant families that have been separated by the Trump administration's unjust immigration policies. LCLAA's chapters all over the nation also mobilized to oppose these policies.

LCLAA is a non-profit organization, and our involvement in this FOIA request falls within the mission of LCLAA, to defend and work for immigrant and working family rights. LCLAA plans to disseminate this information for free through its 52 chapters in 23 states, thus further helping to inform the public across the country about this crucial issue. LCLAA will also circulate this information through its social media platforms, and will reach out to national and international media outlets.

E. National Hispanic Medical Association

The National Hispanic Medical Association works to improve the health of Hispanics through advocacy, leadership development and educational activities. The mission of the National Hispanic Medical Association is to empower Hispanic physicians to lead efforts to improve the health of Hispanic and other underserved populations.

The National Hispanic Medical Association believes that the science and evidence are clear that the area that is being planned for this detention center is not healthy or safe for anyone to live in for any extended amounts of time, and it is especially dangerous to the health and livelihood of children who will be placed in this facility.

The National Hispanic Medical Association has been involved in advocacy concerning immigration policy and the direct health implications of these policies for families that are housed in government-funded detention centers. The Association has called on Congress to fix these issues and treat families that are currently detained with the dignity they deserve.

The National Hispanic Medical Association has the ability and intends to share information obtained from this FOIA request to our social media networks and to our networks via email and our monthly newsletter.

F. Southwest Environmental Center

The Southwest Environmental Center is a non-profit conservation organization dedicated to the protection and restoration of native wildlife and their habitats in the Southwest. SWEC has more than 10,000 members and online activists. SWEC is headquartered in Las Cruces, New Mexico. SWEC's members and staff live in or regularly visit the U.S.-Mexico borderlands region in New Mexico and Texas. SWEC's members and staff regularly use the myriad federal, state, and local protected lands along the U.S.-Mexico border in New Mexico and Texas for hiking, camping, viewing and studying wildlife, photography, hunting, horseback riding, and other scientific, vocational, and recreational activities. SWEC has a long history of advocacy within the borderlands region.

SWEC's interest in this issue relates to its advocacy against border militarization and for the protection of human rights and the environment of the Southwest. In recent years, SWEC has become increasingly concerned about how militarization of the U.S.-Mexico border affects the environment of the Southwest. The impetus for SWEC's involvement with this issue was the construction of a border wall along the U.S.-Mexico border. SWEC has taken a leading role in organizing protests against the wall, and has partnered closely with human rights and immigration groups in this fight. Together with Border Network for Human Rights, SWEC filed a lawsuit earlier this year to block the Family Detention Policy.

SWEC intends to disseminate any information it receives from this request promptly to the public at large via social media. In addition, SWEC intends to draw attention to this information at public events, in letters to the editor, and through other means during the course of its advocacy. SWEC will also share any information it receives with local government officials in Las Cruces and Doña Ana County.

III. JUSTIFICATION FOR EXPEDITED PROCESSING

We request that you process this request on an expedited basis pursuant to 32 C.F.R. § 286.8(e). The above six public interest groups demonstrate a compelling need for the requested documents. First, the requesters urgently need the information to inform their members and the public about imminent government plans to house thousands of immigrant families and unaccompanied minors at Fort Bliss and Goodfellow Air Force Bases. *See id.* § 286.8(e)(1)(i)(B). Recent news reports indicated that DOD is preparing to house approximately 20,000 migrants at the two bases and that construction of tent encampments is to begin shortly and be completed within 45 days. *See* <http://time.com/5324490/zero-tolerance-detention-centers-military/>. *See also* <https://wamu.org/story/18/06/28/military-bases-to-start-building-tents-after-july-4-to-house-migrant-families/>. DOD has been asked by the Department of Homeland Security to identify available land at southwestern bases and to construct "soft-sided camp facilities" capable of holding thousands of migrants. *Id.* Precise location of all the camps has not been reported. Local reports indicate that construction has not yet begun but may begin in the very immediate future.

The absence of specific information regarding the detention centers deprives the public of their right to know and understand the U.S. Government's actions and policies regarding immigrant families. Serious harm has occurred and is currently occurring as a result of the Trump Administration's Zero Tolerance Policy, pursuant to which immigrants, including minors, are detained in shelters and children were separated from their families. Consequently, the U.S. Government's ill treatment of migrants is an issue of utmost concern to millions of Americans. Failure to provide records on an expedited basis deprives the public of crucial knowledge concerning this rapidly evolving situation on the Southern border and new and grave threats to the health of immigrant children and families detained there.

The requesters are groups that have been engaged for decades in defending the rights of immigrants. As described above, the requesting groups regularly disseminate information concerning the activities and policies of the U.S. Government relating to treatment of immigrants and U.S. immigration policy, and this is a primary professional activity for these organizations. The requesting groups are therefore uniquely well informed on these issues and well positioned to disseminate the critical information sought in this request.

Second, we request expedited processing because the failure to obtain the requested records on an expedited basis could reasonably be expected to pose an imminent threat to the lives or physical safety of adults and children housed in the temporary shelters at the Fort Bliss and Goodfellow bases. *See* 32 C.F.R. § 286.8(e)(1)(i)(A). As described above, Fort Bliss has numerous areas where past military operations have contaminated soil, and potentially water and air, with multiple sources and types of hazards and hazardous waste, including radioactive materials, unexploded ordnances, heavy metals, PCBs, asbestos, petroleum, pesticides, and volatile organic compounds. These hazardous chemicals can cause cancer, neurological damage and injury to major human organs. DOD is currently investigating these areas pursuant to the requirements of the federal Superfund program, but the contaminated and unsafe areas have not yet been remediated. In fact, the extent of the threat has not yet been clearly delineated, and it is clear that some areas of the Fort Bliss AFB would pose a substantial and imminent threat to life or physical safety of those housed in tents in and near the contaminated and impacted areas.

At Goodfellow Air Force Base, the area planned for construction of the tent camp is immediately adjacent to a closed, but uncapped landfill and directly on top of a former military firing range. The extent to which the uncapped landfill may pose serious health hazards to construction workers and detainees is not known. Potential routes of exposure to harmful chemicals include vapor intrusion, landfill gas venting, contaminated groundwater and surface water, and airborne debris. It not known whether the firing range, which has undergone remediation, may still contain elevated heavy metals in the soil above federal safe levels, which could pose ingestion and inhalation dangers to residents, workers and particularly children.

In addition, water contamination by a group of toxic chemicals known as poly- and perfluoroalkyl substances, or PFAS, may be present on the Goodfellow and Fort Bliss bases. The military used PFAS-based foams to fight fires as part of military training exercises. PFAS have been linked to health problems including an increased risk of liver, kidney, and thyroid disease, certain types of cancers, infertility in women, and developmental problems in fetuses and infants. Children are particularly vulnerable to PFAS chemicals, which can decrease the body's ability to

produce disease-fighting antibodies after vaccination. Holding children on bases where drinking water is contaminated by toxic compounds would present an imminent threat to their health.

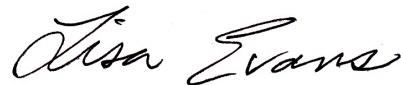
Third, we request expedited processing because the failure to obtain the requested information could reasonably be expected to harm substantial humanitarian interests. *See* 32 C.F.R. § 286.8(e)(1)(ii)(B). The safe, just, humane, lawful, and transparent treatment of those seeking residence in the United States is imperative to the protection of human rights. The rushed construction of temporary structures near or even on top of unremediated toxic waste sites would be a gross violation of such humanitarian interests. The housing of children and adults in or near unsafe and contaminated areas could occur due to lack of adequate planning and the total absence of transparency in the process. The resulting exposure to toxic chemicals, radioactivity and/or explosives would clearly harm substantial humanitarian interests. The documents requested will provide information regarding the location of tent shelters, the location of unsafe and contaminated areas, and the safety of drinking water on the bases. This information is essential to protecting the health and safety of thousands of detainees, as well as workers constructing the detention camps. Failure to obtain the requested information will harm these substantial humanitarian interests.

The requestors certify that the reasons for the expedited processing request are true and correct. We look forward to hearing your response to this request within ten days.

If you have questions regarding this request, please contact Lisa Evans at (781) 631-4119 and levans@earthjustice.org or Melissa Legge at (212) 823-4978 and mlegge@earthjustice.org.

Thank you in advance for your attention to this important matter.

Sincerely,



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