

EXHIBIT C

to Complaint



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE INSTALLATION AND
MISSION SUPPORT CENTER
JOINT BASE SAN ANTONIO LACKLAND TEXAS

August 23, 2018

Sharlotte E. Terry
FOIA Manager
HQ AFIMSC/IZSI
2261 Hughes Avenue, Suite 133
JBSA-Lackland TX 78236-9852

Ms. Lisa Evans
Senior Counsel
EarthJustice
1617 JFK Blvd., Ste. 1130
Philadelphia PA

Ms. Melissa Legge, Esq.
EarthJustice
48 Wall Street, 19th Fl.
New York NY 10003

Dear Ms. Evans and Ms. Legge

We received your Freedom of Information Act (FOIA) request dated August 1, 2018, on August 15, 2018, and assigned case number 2018-03833-F. In this request, you seek the following information:

Multiple records concerning toxic waste sites at Fort Bliss and Goodfellow Air Force Bases, where the Trump Administration will soon be constructing tent shelters to hold thousands of immigrant children and families.

We have referred Item C on page 5 of your request to Goodfellow Air Force Base (AFB) for their processing and direct response to you. Please contact the FOIA manager at 17th Communications Squadron, commercial phone 325-654-4865, if you have questions regarding the processing of this request. Please refer to 2018-03833-F when making inquiries.

We contacted the Air Force Safety Center concerning your request, and they advised their organization has no equity in the items you listed. Additionally, please note the Air Force does not have release authority over records created by another component, e.g., Army (responsible for Fort Bliss and the Army Environmental

Command), the Navy, or the Public Health Command. We have therefore referred your request to these organizations for processing and direct response to you. Please contact those organizations if you have questions regarding your request.

Contact information for these organizations follows:

Ft. Bliss Freedom of Information Act Office
Bldg 2915 Cramer Road
Ft. Bliss TX 79916
Comm: 915-568-4664
Email: usarmy.bliss.imcom-central.mbx.foia@mail.mil

U.S. Navy FOIA
Department of the Navy
Office of the Chief of Naval Operations
FOIA/Privacy Act Program Office
Service Center
ATTN: DNS 36
2000 Navy Pentagon
Washington DC 20350-2000
Comm: 703-697-0031
Email: DONFOIA-PA@Navy.mil

Defense Health Agency
FOIA Service Center
7700 Arlington Blvd
Ste 5101
Falls Church VA 22042
Comm: 703-275-6013
Email: dha.foia@mail.mil

The following responds to Item B on page 4 of your request:

The Air Force Civil Engineer Center (AFCEC) maintains documentation within the Air Force Administrative Record (AR), which we believe is responsive to your request. The AFCEC Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Administrative Record Search website provides a means to search and review public documents regarding environmental testing and sampling conducted at Air Force installations in compliance with the federal CERLA. These documents form the basis for environmental response actions and demonstrate the public's opportunity to participate in and comment on the selection of the response action. AFCEC continuously updates the administrative record for each installation until the remedy selection documentation is complete.

These records are *publicly available*; the documents are available to the public by accessing the following link: <http://afcec.publicadmin-record.us.af.mil/>. Once you access the AR website, click Active in the upper left-hand side of the screen, then scroll down and select “Goodfellow AFB.” Then enter key search terms, one at a time into the "full document search" field. If any documents exist, a listing will appear at the bottom of the screen. Click on the icon under the View column to open the record (see sample at Atch 1).

In your request, you asked for expedited processing. In this case, we have determined your request will receive expedited processing because you have demonstrated that release will serve a humanitarian need. We have moved your request to the top of the queue and will process it as expeditiously as practicable. However, the FOIA allows for time to perform a sufficient search for responsive records and to process them even when requests are expedited. Since we are referring your request to Goodfellow AFB, we will instruct the FOIA manager to move your request to the top of her FOIA queue and to begin processing it immediately.

Furthermore, we placed your request in the *Complex* processing multi-track, which allows Goodfellow AFB up to 30 days to finalize the response. We predicated this placement on the potential that the base will locate voluminous records. The Goodfellow AFB FOIA manager will provide an estimated timeline to respond. In addition, she will continue to update you if she cannot meet the prescribed timelines.

We have placed you in the “Other” fee category for processing. Under this category, you would receive the first two hours of search and the first 100 pages of duplication free of charge. We do not charge for electronic copies. We note you agreed to pay fees up to \$500.00.

If you disagree and interpret this response as an adverse action, you may write to the Secretary of the Air Force THRU: AFIMSC/IZSI, 2261 Hughes Ave Ste 133, JBSA Lackland TX 78236-9853, within 90 calendar days from the date of this letter. Include in the appeal your reasons for reconsideration and attach a copy of this letter. You may also submit your appeal on-line at the Air Force Public Access Link: <https://www.efoia.af.mil/palMain.aspx>.

You may contact the Air Force FOIA Public Liaison Officer, Ms. Anh Trinh, concerning this final response at Air Force FOIA Public Liaison Office, 1800 Air Force Pentagon, Washington, DC 20330-1800 or usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil/(703) 614-8500. You may also seek dispute resolution services from the Office of Government Information Services, and can find information on this Office at <https://ogis.archives.gov/mediation-program/request-assistance.htm>. Using the dispute resolution services will not affect your appeal or appeal rights.

If you have questions on this action, please email me at AFIMSC.FOIA.Workflow@us.af.mil or call 210-395-8206 and reference FOIA case number 2018-03833-F.

Sincerely,

8/23/2018

X Charlotte E. Terry

SHARLOTTE E. TERRY

Signed by: TERRY.SHARLOTTE.E.1127608446