

# **EXHIBIT O**



**DEPARTMENT OF THE ARMY**  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

January 11, 2019

Office of Counsel

SUBJECT: Freedom of Information Act 19-0044 (FP-19-007359)

Daniel L. McFadden, Esq.  
American Civil Liberties Union Foundation of Massachusetts  
211 Congress Street  
Boston, MA 02110  
[dmcfadden@aclum.org](mailto:dmcfadden@aclum.org)

Sent via Email

Dear Mr. McFadden:

This is in response to your Freedom of Information Act request, received by our office on January 8, 2019, wherein you requested:

- The “contract” referenced in the Announcement (“I am in the Oval Office & just gave out a 115 mile long contract for another large section of the Wall in Texas.”)
- All purchase orders, invoices, RFPs, documentation of selection, sole source or limited source justification and approval documents, studies of cost, efficacy, and/or environmental impact, and other memoranda and documentation pertaining to the “contract” referenced in the Announcement. (“I am in the Oval Office & just gave out a 115 mile long contract for another large section of the Wall in Texas.”)

A search of the records located within the Fort Worth District failed to produce any records pertaining to the above-referenced information. Therefore, the Fort Worth District has no records that are responsive to your request and as such, you are advised of your right to appeal this adverse determination through this office which will forward it to our Washington Office for processing to the Secretary of the Army (Attn: General Counsel). Your appeal must be addressed to U.S. Army Corps of Engineers, Fort Worth District, Attn: CESWF-OC/FOIA, P.O. Box 17300, Fort Worth, Texas 76102-0300 or emailed to [FOIA-SWF@usace.army.mil](mailto:FOIA-SWF@usace.army.mil). Your appeal must be in writing and to be considered timely must be postmarked, or electronically transmitted, within 90 calendar days after the date of this response. To facilitate handling, the letter and envelope, or subject line of the email, should be marked “FREEDOM OF INFORMATION ACT APPEAL”. Please note your appeal should refer to the assigned request number, and clearly identify the agency determination that is being appealed; however, the appeal cannot be used to make a new request for new or additional information

You are advised that you may seek dispute resolution regarding this determination through the FOIA Liaison for the Corps of Engineers (Corps) or the Office of Government Information Services (OGIS). Contact information is as follows:

**FOIA Liaison for the Corps:**

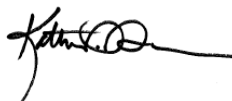
**U.S. Army Corps of Engineers  
FOIA Liaison  
ATTN: CECC-G  
441 G Street, NW  
Washington, DC 20314-1000  
Email: [foia-liaison@usace.army.mil](mailto:foia-liaison@usace.army.mil)  
Phone: 202-761-0511**

**FOIA Liaison for OGIS:**

**Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road—OGIS  
College Park, MD 20740-6001  
[ogis@nara.gov](mailto:ogis@nara.gov)  
<https://www.archives.gov/ogis>  
Phone: 202-741-5770  
Phone: 877-684-6448**

If you have any questions regarding this matter contact Delene Smith at (817) 886-1148 or email at [foia-swf@usace.army.mil](mailto:foia-swf@usace.army.mil) and reference FOIA No. 19-0044.

Sincerely,



Katherine Denzel  
Initial Denial Authority  
District Counsel