

EXHIBIT 5



UNITED STATES CENTRAL COMMAND
7115 SOUTH BOUNDARY BOULEVARD
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

6 May 2020

Mr. Nicholas Reddick
Willkie Farr & Gallagher LLP
1875 K Street NW
Washington, DC 20006

Dear Mr. Reddick,

We received your five Freedom of Information Act (FOIA) requests on 1 May 2020 seeking: (1) documents within U.S. Central Command's (USCENTCOM's) possession relating to the investigation of suspected protection payments paid by mobile phone operators or providers in Afghanistan, including all Provincial Audits discussing insurgent funding; all DEA-6 and IIR documents produced by the DEA/AFTC (FOIA 20-0763); (2) all documents authored, created, or sent by any U.S. Government agency (including but not limited to USCENTCOM) in any way condoning or providing any form of direction/directive/instruction/command to the following government contractors (see request) regarding or relating to the providing of protection payments, bribes, or any other form of payment or money transfer to the Taliban or any other terrorist or militia group in connection with the contractor's work in Afghanistan (FOIA 20-0764); (3) all contracts and related documentation (including RFPs, bids, show cause and cure notices, task orders, subcontracts, and audits) with International Relief and Development Inc. or IRD or Blumont for projects in Afghanistan (FOIA 20-0765); (4) all contracts and related documentation (including RFPs, bids, show cause and cure notices, task orders, subcontracts, and audit files) relating to Chemonics International Inc. or Chemonics Intl or Chemonics or Pax Mondial for projects in Afghanistan (FOIA 20-0766); and, (5) any and all information or documentation (correspondence, memoranda, draft agreements, presentations, e-mails, transcripts and summaries from meetings, calendar invitations, etc.) relating to the State Department in Kabul diplomatic cable; documents relating to meetings between Ashley Bommer, Jared Cohen, and U.S. Forces-Afghanistan; any proposed draft agreements, communications relating to a 11 July 2009 meeting; and documents relating to offers to build, house, host, or assist in the protection of mobile phone towers or other cell or mobile phone related infrastructure on specified locations (see request) in Afghanistan (FOIA 20-0767). Your request is being processed in accordance with Title 5 U.S.C. § 552 Freedom of Information Act and Privacy Act, and Executive Order 13526. The actual processing time for these documents will depend upon consultation with other DoD components, both stateside and overseas, other agencies, and the current COVID-19 pandemic.

On 31 January 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19. On 11 March 2020, the World Health Organization publicly characterized COVID-19 as a pandemic.¹ Then on 17 March 2020, Office of Management and Budget offered more

¹ Centers for Disease Control and Prevention. "Coronavirus Disease 2019 (COVID-19): Situation Summary." www.cdc.gov, accessed March 18, 2019.

stringent guidance stating, “[i]n order to achieve this posture [social distancing], consistent with The President's Coronavirus Guidelines for America, the Government must immediately adjust operations and services to minimize face-to-face interactions...”². USCENTCOM has implemented these guidelines to protect its employees and their communities, and to ensure that it can continue to protect the United States during this national emergency. Specifically, USCENTCOM leadership issued guidance requiring any employees who can telework must do so. Telework is not available for FOIA employees, therefore the processing of your FOIA request may be delayed.

For any further assistance and to discuss any aspect of your request, you have the right to contact the Office of the Chief Management Officer, Directorate for Oversight and Compliance, Defense Privacy, Civil Liberties, and Transparency Division, FOIA Public Liaison (Ms. Melissa Walker) at OSD.FOIALiaison@mail.mil; telephone (571) 372-0462. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001, e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.


If you are not satisfied with this response, you have the right to appeal to the appellate authority, Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense. The appellate address is OCMO Directorate for Oversight and Compliance, 4800 Mark Center Drive, ATTN: DPCLTD, FOIA Appeals, Mailbox# 24, Alexandria, VA 22350-1700. As an alternative, you may use the Office of the Secretary of Defense FOIA request portal at <https://pal.whs.mil/> to submit your appeal electronically, or you can email your appeal to OSD.FOIA-APPEAL@mail.mil, and state “FOIA Appeal” in the subject of the email. Your appeal must be postmarked or submitted electronically within 90 calendar days from the date of this letter, cite USCENTCOM’s case #20-0763 through 20-0767, and clearly mark “Freedom of Information Act Appeal” in your correspondence.

The USCENTCOM FOIA Requester Service Center receives numerous FOIA requests and has a substantial number of pending FOIA cases; therefore, we process requests in a multi-track processing system based on the date of receipt and complexity of the request. The FOIA does not require agencies to respond to questions, to do research, compile or analyze data, summarize, or conduct surveys for members of the public. You should be aware that the FOIA only provides the means by which the public can request specific documents from USCENTCOM. The requested documents should be described to the extent that they may be located with a reasonable amount of effort. Your FOIA is currently # 2262 in our queue. You can view your queue status on our website at www.CENTCOM.mil/Home/FOIA.

² Memorandum from the Acting Director of The Office of Management and Budget to the Heads of Departments and Agencies “Federal Agency Operational Alignment to Slow the Spread of Coronavirus COVID-19” (March 17, 2020), <https://www.whitehouse.gov/wp-content/uploads/2020/03/M-20-16.pdf> (last accessed Mar. 18, 2020).

If you have any questions regarding your inquiry, please contact the FOIA Requester Service Center at (813) 529-6285, CENTCOM.macdill.CENTCOM-hq.mbx.freedom-of-information-act@mail.mil, and refer to cases #20-0763 through 20-0767.

Sincerely,



Digitally signed by
MU/BPHY.JOSEPH.C.HARLES.1253904140
DN: cn=US, o=U.S. Government, ou=DoD,
ou=PRC, ou=USAF,
c=US, email=CENTCOM.MURPHY.JOSEPH.C.HARLES.1253904140
Date: 2020.05.08 12:41:49 -0400

Joseph C. Murphy
Major, U.S. Air Force
Chief, Command Records Branch

Enclosure:
FOIA Requests w/assigned FOIA Case Numbers