

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CATO INSTITUTE,)
1000 Massachusetts Ave. NW)
Washington, DC 20001)

Plaintiff,)

v.)

OFFICE OF THE SECRETARY OF)
DEFENSE/JOINT STAFF,)
1155 Defense Pentagon)
Washington, DC 20301)

UNITED STATES NORTHERN)
COMMAND,)
250 Vandenberg Street Suite B016)
Peterson Space Force Base CO 80914-3804)

UNITED STATES TRANSPORTATION)
COMMAND,)
Bldg. 1900E, Rm. 339)
508 Scott Dr.)
Scott AFB, IL 62225)

UNITED STATES SPECIAL)
OPERATIONS COMMAND,)
7701 Tampa Point Blvd.)
MacDill AFB, FL 33621-5323)

UNITED STATES DEPARTMENT OF)
DEFENSE,)
1155 Defense Pentagon)
Washington, DC 20301)

Defendants.)

AMENDED COMPLAINT

1. Plaintiff CATO INSTITUTE brings this suit to force Defendants OFFICE OF THE SECRETARY OF DEFENSE/JOINT STAFF, UNITED STATES NORTHERN COMMAND, UNITED STATES TRANSPORTATION COMMAND, UNITED STATES SPECIAL OPERATIONS COMMAND, and UNITED STATES DEPARTMENT OF DEFENSE to conduct a reasonable search, issue a determination, and produce records regarding operational plans and procedures pertaining to the military's role in responding to perceived instances of domestic civil disturbance and civil unrest on American soil.

PARTIES

2. Plaintiff CATO INSTITUTE (“CATO”) is a public policy research organization—a think tank—dedicated to the principles of individual liberty, limited government, free markets, and peace. Its scholars and analysts conduct independent, nonpartisan research on a wide range of policy issues. CATO is the FOIA requester in this case.

3. Defendant OFFICE OF THE SECRETARY OF DEFENSE/JOINT STAFF is a federal agency and is subject to the Freedom of Information Act, 5 U.S.C. § 552.

4. Defendant UNITED STATES NORTHERN COMMAND is a federal agency and is subject to the Freedom of Information Act, 5 U.S.C. § 552.

5. Defendant UNITED STATES TRANSPORTATION COMMAND is a federal agency and is subject to the Freedom of Information Act, 5 U.S.C. § 552.

6. Defendant UNITED STATES SPECIAL OPERATIONS COMMAND is a federal agency and is subject to the Freedom of Information Act, 5 U.S.C. § 552.

7. Defendant UNITED STATES DEPARTMENT OF DEFENSE is a federal agency and is subject to the Freedom of Information Act, 5 U.S.C. § 552. DOD is the parent agency of OSD, NORTHCOM, TRANSCOM, and USSOCOM.

JURISDICTION AND VENUE

8. This case is brought under 5 U.S.C. § 552(a)(4)(B) and presents a federal question conferring jurisdiction on this Court. *See* 28 U.S.C. § 1331.

9. Venue is proper under 5 U.S.C. § 552(a)(4)(B).

APRIL 21, 2025 FOIA REQUEST TO OSD

10. On April 21, 2025, Plaintiff submitted a FOIA request to OSD for records regarding the following:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANs), standard operating procedures (SOPs), or SECDEF or C/JCS, JCS/J2, or JCS J3 instructions or guidance to HQ NORTHCOM, HQ SOUTHCOM, HQ SOCOM, JTF-NCR, or the Military District of Washington (MDW) mentioning or citing:

a. detention planning and implementation in domestic civil disturbance or civil unrest operations;

b. law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);

c. rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;

d. rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;

2. Records that cite or mention President Trump's April 11, 2025 National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions.

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request excludes any responsive documents publicly posted on DoD or DoD component websites.

11. A true and correct copy of the FOIA request is attached as Exhibit 1.

12. On April 22, 2025, OSD acknowledged receipt of the FOIA request and assigned reference number 25-F-3056 to the matter.

13. A true and correct copy of the correspondence is attached as Exhibit 2.

14. On April 29, 2025, OSD denied Plaintiff's request for expedited processing, placed the request in the "complex processing queue," and stated that "unusual circumstances" would impact its ability to quickly process the request.

15. A true and correct copy of the correspondence is attached as Exhibit 3.

16. On July 8, 2025, Plaintiff sought an estimated date of completion for the request.

17. A true and correct copy of the correspondence is included in Exhibit 4

18. On July 11, 2025, OSD stated that the estimated date of completion was six months and noted "this is an estimate and subject to change." *Id.*

19. On September 9, 2025, Plaintiff asked OSD to provide an updated estimated date of completion. *Id.*

20. OSD did not send any further correspondence to Plaintiff regarding this request.

21. To the extent that OSD locates a voluminous amount of records in the course of processing the request, Plaintiff is willing to confer with the agency about narrowing the scope of the request, but to date, OSD has not indicated that the request involves a large volume of records.

22. As of the date of this filing, OSD has not issued a determination on Plaintiff's request.

23. As of the date of this filing, OSD has failed to make any responsive records promptly available to Plaintiff.

24. Upon information and belief, OSD provided an estimated date of completion of 6 months on July 11, 2025 because it has a backlog of requests.

25. Upon information and belief, OSD has not begun collecting, reviewing, or processing responsive records as of the date this complaint was filed.

APRIL 21, 2025 FOIA REQUEST TO NORTHCOM

26. On April 21, 2025, Plaintiff submitted a FOIA request to NORTHCOM for records regarding the following:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANs), standard operating procedures (SOPs), instructions or guidance from HQ NORTHCOM to NORTHCOM subordinate elements mentioning or citing:

a. detention planning and implementation in domestic civil disturbance or civil unrest operations;

b. law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);

c. rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;

d. rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;

2. Records that cite or mention President Trump's April 11, 2025 National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request excludes any responsive documents publicly posted on DoD or DoD component websites.

27. A true and correct copy of the FOIA request is attached as Exhibit 5.

28. On April 22, 2025, NORTHCOM acknowledged receipt of the FOIA request, assigned reference number 25-R-046 to the matter, and estimated that a response would be issued on May 20, 2025.

29. A true and correct copy of the correspondence is attached as Exhibit 6.

30. On July 8, 2025, Plaintiff sought an estimated date of completion for the request.

31. A true and correct copy of the correspondence is included in Exhibit 7.

32. On August 8, 2025, Plaintiff sent a follow-up email to NORTHCOM seeking an estimated date of completion. *Id.*

33. On September 9, 2025, Plaintiff sent a third email to NORTHCOM seeking an estimated date of completion for the request. *Id.*

34. NORTHCOM did not send any further correspondence to Plaintiff regarding this request.

35. At no point in time did NORTHCOM provide written notice regarding the application of unusual circumstances or offer to confer with Plaintiff pursuant to 5 U.S.C. § 552 (a)(6)(B).

36. To the extent that NORTHCOM locates a voluminous amount of records in the course of processing the request, Plaintiff is willing to confer with the agency about narrowing the scope of the request, but to date, NORTHCOM has not indicated that the request involves a large volume of records.

37. As of the date of this filing, NORTHCOM has not issued a determination on Plaintiff's request.

38. As of the date of this filing, NORTHCOM has failed to make any responsive records promptly available to Plaintiff.

39. Upon information and belief, NORTHCOM has not begun collecting, reviewing, or processing responsive records as of the date this complaint was filed.

APRIL 22, 2025 FOIA REQUEST TO TRANSCOM

40. On April 22, 2025, Plaintiff submitted a FOIA request to TRANSCOM for the following records:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANS), standard operating procedures (SOPs), instructions or guidance from HQ TRANSCOM to TRANSCOM subordinate elements mentioning or citing detention planning and implementation in immigration enforcement, or domestic civil disturbance or civil unrest operations; and

2. Records that cite or mention President Trump's April 11, 2025 National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request excludes any responsive documents publicly posted on DoD or DoD component websites.

41. A true and correct copy of the FOIA request is attached as Exhibit 8.

42. On April 24, 2025, TRANSCOM acknowledged receipt of the FOIA request and assigned reference number 25-0097-F to the matter.

43. A true and correct copy of the correspondence is attached as Exhibit 9.

44. On August 8, 2025, Plaintiff sent an email to TRANSCOM stating that the agency's FOIA portal indicated an estimated date of completion of September 1, 2025, and asked TRANSCOM to confirm whether the estimated date of completion was accurate.

45. A true and correct copy of the correspondence is attached as Exhibit 10.

46. On September 9, 2025, Plaintiff followed up with TRANSCOM seeking an estimated date of completion. *Id.*

47. On September 9, 2025, TRANSCOM stated that it was "currently searching [its] records for responsive information" and "will provide a response after [its] search and review process has been completed." *Id.*

48. TRANSCOM did not send any further correspondence to Plaintiff regarding this request.

49. As of the date of this filing, the TRANSCOM FOIA portal reflects an estimated date of completion of October 1, 2025.

50. At no point in time did TRANSCOM provide written notice regarding the application of unusual circumstances or offer to confer with Plaintiff pursuant to 5 U.S.C. § 552 (a)(6)(B).

51. To the extent that TRANSCOM locates a voluminous amount of records in the course of processing the request, Plaintiff is willing to confer with the agency about narrowing the scope of the request, but to date, TRANSCOM has not indicated that the request involves a large volume of records.

52. As of the date of this filing, TRANSCOM has not issued a determination on Plaintiff's request.

53. As of the date of this filing, TRANSCOM has failed to make any responsive records promptly available to Plaintiff.

54. Upon information and belief, TRANSCOM has not begun collecting, reviewing, or processing responsive records as of the date this complaint was filed.

APRIL 22, 2025 FOIA REQUEST TO USSOCOM

55. On April 22, 2025, Plaintiff submitted a FOIA request to USSOCOM for records regarding the following:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANS), standard operating procedures (SOPs), instructions or guidance from HQ SOCOM to SOCOM subordinate elements mentioning or citing:

- a. detention planning and implementation in domestic civil disturbance or civil unrest operations;

b. law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);

c. rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;

d. rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;

2. Records that cite or mention President Trump's April 11, 2025 National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request excludes any responsive documents publicly posted on DoD or DoD component websites.

56. A true and correct copy of the FOIA request is attached as Exhibit 11.

57. On May 12, 2025, USSOCOM acknowledged receipt of the FOIA request, assigned reference number FOIA 2025-250 to the matter, denied expedited processing of the request, and stated that the estimated time of completion for the request was “approximately 36-48 months.”

58. A true and correct copy of the correspondence is attached as Exhibit 12.

59. USSOCOM did not send any further correspondence to Plaintiff regarding this request.

60. At no point in time did USSOCOM provide written notice regarding the application of unusual circumstances or offer to confer with Plaintiff pursuant to 5 U.S.C. § 552 (a)(6)(B).

61. To the extent that USSOCOM locates a voluminous amount of records in the course of processing the request, Plaintiff is willing to confer with the agency about narrowing the scope of the request, but to date, USSOCOM has not indicated that the request involves a large volume of records.

62. As of the date of this filing, USSOCOM has not issued a determination on Plaintiff's request.

63. As of the date of this filing, USSOCOM has failed to make any responsive records promptly available to Plaintiff.

64. Upon information and belief, USSOCOM provided an estimated date of completion of 36-48 months because it has a backlog of requests.

65. Upon information and belief, USSOCOM has not begun collecting, reviewing, or processing responsive records as of the date this complaint was filed.

**COUNT I – OSD'S FOIA VIOLATION
APRIL 21, 2025 FOIA REQUEST TO OSD**

66. Paragraphs 1-65 are incorporated by reference.

67. Plaintiff's FOIA request seeks the disclosure of agency records and was properly made.

68. Defendant OSD is a federal agency subject to FOIA.

69. Included within the scope of the request are one or more records or portions of records that are not exempt under FOIA.

70. Defendant OSD has failed to conduct a reasonable search for records responsive to the request.

71. Defendant OSD has failed to issue a determination within the statutory deadline.

72. Defendant OSD has failed to produce all non-exempt records responsive to the request.

**COUNT II – NORTHCOM’S FOIA VIOLATION
APRIL 21, 2025 FOIA REQUEST TO NORTHCOM**

73. Paragraphs 1-65 are incorporated by reference.

74. Plaintiff’s FOIA request seeks the disclosure of agency records and was properly made.

75. Defendant NORTHCOM is a federal agency subject to FOIA.

76. Included within the scope of the request are one or more records or portions of records that are not exempt under FOIA.

77. Defendant NORTHCOM has failed to conduct a reasonable search for records responsive to the request.

78. Defendant NORTHCOM has failed to issue a determination within the statutory deadline.

79. Defendant NORTHCOM has failed to produce all non-exempt records responsive to the request.

**COUNT III – TRANSCOM’S FOIA VIOLATION
APRIL 22, 2025 FOIA REQUEST TO TRANSCOM**

80. Paragraphs 1-65 are incorporated by reference.

81. Plaintiff’s FOIA request seeks the disclosure of agency records and was properly made.

82. Defendant TRANSCOM is a federal agency subject to FOIA.

83. Included within the scope of the request are one or more records or portions of records that are not exempt under FOIA.

84. Defendant TRANSCOM has failed to conduct a reasonable search for records responsive to the request.

85. Defendant TRANSCOM has failed to issue a determination within the statutory deadline.

86. Defendant TRANSCOM has failed to produce all non-exempt records responsive to the request.

**COUNT IV – USSOCOM’S FOIA VIOLATION
APRIL 22, 2025 FOIA REQUEST TO USSOCOM**

87. Paragraphs 1-65 are incorporated by reference.

88. Plaintiff’s FOIA request seeks the disclosure of agency records and was properly made.

89. Defendant USSOCOM is a federal agency subject to FOIA.

90. Included within the scope of the request are one or more records or portions of records that are not exempt under FOIA.

91. Defendant USSOCOM has failed to conduct a reasonable search for records responsive to the request.

92. Defendant USSOCOM has failed to issue a determination within the statutory deadline.

93. Defendant USSOCOM has failed to produce all non-exempt records responsive to the request.

WHEREFORE, Plaintiff asks the Court to:

- i. declare that Defendants have violated FOIA;
- ii. order Defendants to conduct a reasonable search for records and to produce the requested records promptly;
- iii. enjoin Defendants from withholding non-exempt public records under FOIA;
- iv. award Plaintiff attorneys’ fees and costs; and
- v. award such other relief the Court considers appropriate.

Dated: December 2, 2025

RESPECTFULLY SUBMITTED,

/s/ Matthew V. Topic

Attorneys for Plaintiff
CATO INSTITUTE

Matthew Topic, D.C. Bar No. IL0037
Stephen Stich Match, D.C. Bar No. MA0044
Merrick Wayne, D.C. Bar No. IL0058
LOEVY & LOEVY
311 North Aberdeen, 3rd Floor
Chicago, IL 60607
312-243-5900
foia@loevy.com

Exhibit 1

April 21, 2025

VIA FAX: 571-372-0500

OSD/JS FOIA Requester Service Center
Freedom of Information Division
1155 Defense Pentagon
Washington, DC 20301-1155

To the responsible FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request records (as defined in 44 U.S.C. § 3301) regarding the following:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANs), standard operating procedures (SOPs), or SECDEF or C/JCS, JCS/J2, or JCS J3 instructions or guidance to HQ NORTHCOM, HQ SOUTHCOM, HQ SOCOM, JTF-NCR, or the Military District of Washington (MDW) mentioning or citing:
 - a. detention planning and implementation in domestic civil disturbance or civil unrest operations;
 - b. law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);
 - c. rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;
 - d. rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;
2. Records that cite or mention President Trump's April 11, 2025 [National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions](#)

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request **excludes** any responsive documents publicly posted on DoD or DoD component websites.

In order to help to determine my status to assess fees, you should know that I am a Senior Fellow and scholar at the Cato Institute, an IRS-recognized 501(c)(3) nonprofit educational and public interest organization. As I am employed by an educational or noncommercial scientific institution, this request is made for a scholarly or scientific purpose and not for a commercial use. I request a waiver of all fees for this request.

Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

Whenever possible, please provide the requested information in electronic Portable Document Format (PDF).

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I would appreciate your communicating with me by email or telephone, rather than by mail. My email address is peddington@cato.org and my cell number is

Please provide expedited processing of this request which concerns a matter of urgency. As a Senior Fellow, my job is disseminating information. The public has an urgent need for information about potential DoD or DoD component planning or operations involving the domestic use of active duty or federalized National Guard personnel for immigration enforcement or civil disturbance/civil unrest operations as such actions represent a clear and present danger to the constitutional rights of Americans. The presidential directive cited above has been and remains a very high-profile topic of intense public and Congressional interest.

Accordingly, on Cato's behalf I ask for expedited processing on that basis. I certify that my statements regarding the need for fee waivers and expedited processing are true and correct to the best of my knowledge and belief. I look forward to your determination regarding my request for expedited processing within 10 calendar days, as the statute requires. Thank you for your assistance.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute
1000 Massachusetts Ave., NW
Washington, DC 20001

peddington@cato.org

Exhibit 2

Subject: Request Acknowledgement by OSD/JS or DLA FOIA Requester Service Center
From: "donotreply@mail.mil" <donotreply@mail.mil>
Sent: 4/22/25, 7:17:53 AM
To: "Patrick Eddington" <peddington@cato.org>

CAUTION: External Email

Dear Patrick Eddington,

Case Number 25-F-3056 has been assigned to the request you submitted. In all future correspondence regarding this request please reference case number 25-F-3056.

Regards,
OSD/JS or
DLA FOIA Requester Service Center



DEPARTMENT OF DEFENSE
OFFICE OF THE SECRETARY OF DEFENSE/JOINT STAFF
FREEDOM OF INFORMATION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155

Exhibit 3

Ref: 25-F-3056
April 29, 2025

Mr. Patrick Eddington
Cato Institute
1000 Massachusetts Ave., NW
Washington, DC 20001

Dear Mr. Eddington:

This is an interim response to your April 21, 2025, Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. The Office of the Secretary of Defense/Joint Staff (OSD/JS) FOIA Requester Service Center received your request on April 22, 2025, and assigned it FOIA case number 25-F-3056. We ask that you use this number when referring to your request.

Although we have already begun processing your request, we will not be able to respond within the FOIA's 20-day statutory time period as there are unusual circumstances which impact our ability to quickly process your request. The FOIA defines unusual circumstances as (a) the need to search for and collect records from a facility geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other agencies or DoD components having a substantial interest in either the determination or the subject matter of the records. At least one, if not more of these scenarios applies or would likely apply to your request. While this office handles FOIA requests for OSD, JS, and other component offices, we do not actually hold their records, and our office is not geographically located with these organizations. As we do not hold the records, until the required record searches are complete, we are unable to estimate the potential volume of records or the number of consultations that will be required to make a release determination.

Expedited processing may be granted when the requester demonstrates a compelling need for the information and shows that the information has a particular value that would be lost if not processed on an expedited basis. A key word here is "demonstrates." Therefore, it is incumbent upon you to demonstrate that the requested records will serve an urgency purpose and that they will also be meaningful in the sense that they will provide a greater understanding of actual or alleged federal government activity on the part of the public-at-large than that which existed before such information was disseminated. Consequently, it must be clearly demonstrated that such information has a particular value that will be lost if not disseminated quickly. After carefully considering your request, this office finds that you have not clearly demonstrated how the information will lose its value if not processed on an expedited basis. For this reason, your request for expedited processing is denied.

Your request has been placed in our complex processing queue and is being worked based on the order in which the request was received. Our current administrative workload is approximately 3,851 open requests.

If you have requested a fee waiver, please note that decisions to waive or reduce fees are made on a case-by-case basis, and we will make a determination concerning your fee waiver request at the conclusion of the search and assessment of responsive records, should they exist. However, this office will only assess fees if we provide the final response to your FOIA request within the statutory time allotted by the FOIA or if the responsive records total more than 5,000 pages, even after a good faith effort on our part to limit the scope of your request.

In some instances, we have found that requesters who narrow the scope of their requests experience a reduction in the time needed to process their requests. If you wish to narrow the scope of your request or have questions about the foregoing, please do not hesitate to contact your Action Officer, Charles Harrison, at charles.h.harrison82.ctr@mail.mil or 571-372-0471. Additionally, if you have concerns about service received by our office, please contact a member of our Leadership Team at 571-372-0498 or Toll Free at 866-574-4970.

Should you wish to inquire about mediation services, you may contact the OSD/JS FOIA Public Liaison, Toni Fuentes, by email at osd.mc-alex.oatsd-pclt.mbx.foia-liaison@mail.mil or by phone at 571-372-0462. You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

You have the right to appeal to the appellate authority, Ms. Joo Chung, Assistant to the Secretary of Defense for Privacy Civil Liberties, and Transparency (PCLT), Office of the Secretary of Defense, at: 4800 Mark Center Drive, ATTN: PCLFD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700. Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may email your appeal to osd.foia-appeal@mail.mil. If you use email, please include the words "FOIA Appeal" in the subject of the email. Please also reference FOIA case number 25-F-3056 in any appeal correspondence.

We regret the delay in responding to your request and appreciate your patience. As previously stated, please contact the Action Officer assigned to your request, Charles Harrison, and reference FOIA case number 25-F-3056, if you have any questions or concerns.

Sincerely,

For Charles C. Marye

Stephanie L. Carr
Chief

Enclosure:
As stated

Subject: RE: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)
From: "Harrison, Charles H IV CTR WHS ESD (USA)" <charles.h.harrison82.ctr@mail.mil>
Sent: 7/11/25, 2:22:46 PM
To: "Patrick Eddington" <PEddington@cato.org>
CC: "Marye, Charles C CIV WHS ESD (USA)" <charles.c.marye.civ@mail.mil>

Good afternoon,

I hope you enjoyed your holiday as well. Your request is currently tasked to a component office of the Office of the Secretary of Defense (OSD), to conduct a search for responsive records. The estimated completion date provided to our office is six months. Please know that this is an estimate and is subject to change. It may be completed before this time, but there is also a possibility that additional time may be needed to complete this request.

V/r,

Charles Harrison
Freedom of Information Division OSD/JS
Charles.h.Harrison82.ctr@mail.mil
571-372-0471(Office)

From: Patrick Eddington <PEddington@cato.org>
Sent: Tuesday, July 8, 2025 11:27 AM
To: Harrison, Charles H IV CTR WHS ESD (USA) <charles.h.harrison82.ctr@mail.mil>
Subject: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)
Importance: High

Mr. Harrison,

I hope you had an enjoyable July 4th holiday.

Please provide an estimated completion date for Cato FOIA 25-F-3056.

With thanks,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, [*The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*](#)
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

Subject: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)
From: "Patrick Eddington" <PEddington@cato.org>
Sent: 7/8/25, 11:27:29 AM
To: "Charles.h.Harrison82.ctr@mail.mil" <Charles.h.Harrison82.ctr@mail.mil>

Mr. Harrison,

I hope you had an enjoyable July 4th holiday.

Please provide an estimated completion date for Cato FOIA 25-F-3056.

With thanks,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, [*The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*](#)
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

Subject: RE: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)
From: "Harrison, Charles H IV CTR WHS ESD (USA)" <charles.h.harrison82.ctr@mail.mil>
Sent: 7/11/25, 2:22:46 PM
To: "Patrick Eddington" <PEddington@cato.org>
CC: "Marye, Charles C CIV WHS ESD (USA)" <charles.c.marye.civ@mail.mil>
Attachments: RE: ECD request re: Cato FOIA 25-F-3056 (immigration support_civil disturbance ops).eml

CAUTION: External Email

Subject: Re[2]: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)
From: "Patrick Eddington" <PEddington@cato.org>
Sent: 7/11/25, 3:19:09 PM
To: "Harrison, Charles H IV CTR WHS ESD (USA)" <charles.h.harrison82.ctr@mail.mil>
CC: "Marye, Charles C CIV WHS ESD (USA)" <charles.c.marye.civ@mail.mil>

Mr. Harrison,

Thanks for the update.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, [*The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*](#)
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

----- Original Message -----

From "Harrison, Charles H IV CTR WHS ESD (USA)" <charles.h.harrison82.ctr@mail.mil>
To "Patrick Eddington" <PEddington@cato.org>
Cc "Marye, Charles C CIV WHS ESD (USA)" <charles.c.marye.civ@mail.mil>
Date 7/11/2025 2:22:46 PM
Subject RE: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)

Subject: Ref[3]: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)
From: "Patrick Eddington" <PEddington@cato.org>
Sent: 9/9/25, 2:00:41 PM
To: "Harrison, Charles H IV CTR WHS ESD (USA)" <charles.h.harrison82.ctr@mail.mil>
CC: "Marye, Charles C CIV WHS ESD (USA)" <charles.c.marye.civ@mail.mil>

Mr. Harrison,

Hello again. Checking in to see if you had a revised estimated completion date for me on this request...can you let me know?

With thanks,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, *The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

----- Original Message -----

From "Patrick Eddington" <PEddington@cato.org>
To "Harrison, Charles H IV CTR WHS ESD (USA)" <charles.h.harrison82.ctr@mail.mil>
Cc "Marye, Charles C CIV WHS ESD (USA)" <charles.c.marye.civ@mail.mil>
Date 7/11/2025 3:19:09 PM
Subject Re[2]: ECD request re: Cato FOIA 25-F-3056 (immigration support/civil disturbance ops)

Exhibit 5

April 21, 2025

VIA ELECTRONIC MAIL: n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil

HQ USNORTHCOM/CS
ATTN: FOIA Requester Service Center
250 Vandenberg Street, Suite B016
Peterson Air Force Base, CO 80914-3801

To the responsible FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request records (as defined in 44 U.S.C. § 3301) regarding the following:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANs), standard operating procedures (SOPs), instructions or guidance from HQ NORTHCOM to NORTHCOM subordinate elements mentioning or citing:
 - a. detention planning and implementation in domestic civil disturbance or civil unrest operations;
 - b. law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);
 - c. rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;
 - d. rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;

2. Records that cite or mention President Trump's April 11, 2025 [National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions](#)

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request **excludes** any responsive documents publicly posted on DoD or DoD component websites.

In order to help to determine my status to assess fees, you should know that I am a Senior Fellow and scholar at the Cato Institute, an IRS-recognized 501(c)(3) nonprofit educational and public interest organization. As I am employed by an educational or noncommercial scientific institution, this request is made for a scholarly or scientific purpose and not for a commercial use. I request a waiver of all fees for this request.

Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

Whenever possible, please provide the requested information in electronic Portable Document Format (PDF).

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I would appreciate your communicating with me by email or telephone, rather than by mail. My email address is peddington@cato.org and my cell number is

Please provide expedited processing of this request which concerns a matter of urgency. As a Senior Fellow, my job is disseminating information. The public has an urgent need for information about potential DoD or DoD component planning or operations involving the domestic use of active duty or federalized National Guard personnel for immigration enforcement or civil disturbance/civil unrest operations as such actions represent a clear and present danger to the constitutional rights of Americans. The presidential directive cited above has been and remains a very high-profile topic of intense public and Congressional interest.

Accordingly, on Cato's behalf I ask for expedited processing on that basis. I certify that my statements regarding the need for fee waivers and expedited processing are true and correct to the best of my knowledge and belief. I look forward to your determination regarding my request for expedited processing within 10 calendar days, as the statute requires. Thank you for your assistance.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute
1000 Massachusetts Ave., NW
Washington, DC 20001

peddington@cato.org

Exhibit 6

Fw: USNORTHCOM Acknowledgement Letter 25-R-046

----- Forwarded Message -----

From "NORAD-USNC Peterson SFB N-NC SPECIAL STAFF Mailbox CSA (FOIA) OMB" <n-nc.peterson.ncspecialstaff.mbx.csa-foia-omb@mail.mil>

To "Patrick Eddington" <peddington@cato.org>

Date 4/22/2025 2:40:51 PM

Subject USNORTHCOM Acknowledgement Letter 25-R-046

Good afternoon Mr. Eddington,

Please see attached USNORTHCOM Acknowledgement Letter for your FOIA Request 25-R-046.

Thank you and have a great day!

V/r,

RHONDA ROSS, DAFC

FOIA and PA Manager

HQ NORAD and USNORTHCOM

[250 Vandenberg St, Suite B016](#)

[Peterson SFB, CO 80914-3802](#)

DSN: 312-834-2117

Comm: 719-556-2117

From: Patrick Eddington <peddington@cato.org>

Sent: Tuesday, April 22, 2025 10:16 AM

To: NORAD-USNC Peterson SFB N-NC SPECIAL STAFF Mailbox CSKA (FOIA) OMB <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>

Subject: Re: Cato FOIA request re: immigration enforcement and civil disturbance support

Ms. Ross,

Good morning. If Cato's request for fee waivers is denied, please immediately inform me if the expected fees associated with this request are anticipated to exceed \$500. Also, per our request Cato has asked that records be provided in PDF, not paper format. Please indicate whether the per page reproduction fee you quoted applies to strictly digital records and if so, please cite the statutory provision authorizing reproduction fees for digital records.

With thanks,

Patrick Eddington
Senior Fellow
Cato Institute

[1000 Massachusetts Ave., NW](#)

[Washington, DC 20001](#)

peddington@cato.org

On Apr 21, 2025, at 4:31 PM, NORAD-USNC Peterson SFB N-NC SPECIAL STAFF Mailbox CSKA (FOIA) OMB <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil> wrote:

CAUTION: External Email

From: "NORAD-USNC Peterson SFB N-NC SPECIAL STAFF Mailbox CSKA (FOIA) OMB" <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>

Subject: RE: Cato FOIA request re: immigration enforcement and civil disturbance support

Date: April 21, 2025 at 4:31:34 PM EDT

To: Patrick Eddington <PEddington@cato.org>

Good afternoon Mr. Eddington,

USNORTHCOM has received your request. Please state your willingness to pay fees:

- You must state the willingness to pay fees associated with the processing of your request. Subsequent processing will be assessed at the established DoD fee rates of: clerical search time--\$20 per hour; professional search time--\$44 per hour; executive search time--\$75 per hour, and document reproduction at \$0.15 per page.

Thank you and have a great day!

V/r,

RHONDA ROSS, DAFC

FOIA and PA Manager

HQ NORAD and USNORTHCOM

250 Vandenberg St, Suite B016

Peterson SFB, CO 80914-3802

DSN: 312-834-2117

Comm: 719-556-2117

From: Patrick Eddington <PEddington@cato.org>

Sent: Monday, April 21, 2025 1:39 PM

To: NORAD-USNC Peterson SFB N-NC SPECIAL STAFF Mailbox CSKA (FOIA) OMB <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>

Subject: Cato FOIA request re: immigration enforcement and civil disturbance support

Importance: High

To the responsible NORTHCOM FOIA officer:

Please find attached a FOIA request from the Cato Institute regarding NORTHCOM support for immigration enforcement and civil disturbance/civil unrest operations.

Sincerely,

Patrick G. Eddington

Senior Fellow

Cato Institute

Author, *The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*

Bio page: <https://www.cato.org/people/patrick-g-eddington>

 **FOIAAcknowledgementLetter_25-R-046.pdf**
180K



UNITED STATES NORTHERN COMMAND

FOIA Requester Service Center
HQ USNORTHCOM
250 Vandenberg Street Suite B016
Peterson Space Force Base CO 80914-3804

Dear Mr. Eddington,

Our Freedom of Information Act (FOIA) Requester Service Center received your FOIA request dated 22 MAY 2025. For tracking purposes, we assigned your request United States Northern Command (USNORTHCOM) Case Number 25-R-046.

Requested Documents: Records that cite or mention operational orders (OPORDs), operation plans (OPLANs), standard operating procedures (SOPs), instructions or guidance from HQ NORTHCOM to NORTHCOM subordinate elements mentioning or citing:

- A. Detention planning and implementation in domestic civil disturbance or civil unrest operations;
- B. Law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);
- C. Rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;
- D. Rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;

Fee Waiver Requested: Yes

Fee Category: Based on the information in your request, we have determined your fee category to be "All Others." Requesters in this category typically receive the first two hours of search time and the first one-hundred pages of duplication at no cost.

Expected Response Date: 20 May 2025

If you have any questions or to check the status of your request, please send an e-mail to n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil and include our assigned FOIA case number. You may also reach me by calling (719) 556-2117.

Sincerely

RHONDA N. ROSS, DAFC
FOIA Requester Service Center

Subject: ECD request re Cato NORTHCOM FOIA 25-R-046 (immigration enforcement support/civil disturbance ops)
From: "Patrick Eddington" <PEddington@cato.org>
Sent: 7/8/25, 11:29:54 AM
To: "n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil" <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>

Ms. Ross,

I hope you had a pleasant July 4th holiday.

Please provide an estimated completion date for Cato NORTHCOM FOIA 25-R-046 (immigration enforcement support/civil disturbance ops).

With thanks,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, *[The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower](#)*
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

Subject: Re: ECD request re Cato NORTHCOM FOIA 25-R-046 (immigration enforcement support/civil disturbance ops)
From: "Patrick Eddington" <PEddington@cato.org>
Sent: 8/8/25, 1:43:55 PM
To: "n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil" <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>

Ms. Ross,

I never received a reply to my EDC email to you of July 8 (the text of which is below). Please provide an estimated completion date for this request.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, *[The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower](#)*
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

----- Original Message -----

From "Patrick Eddington" <PEddington@cato.org>
To "n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil" <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>
Date 7/8/2025 11:29:54 AM
Subject ECD request re Cato NORTHCOM FOIA 25-R-046 (immigration enforcement support/civil disturbance ops)

Subject: Re[2]: ECD request re Cato NORTHCOM FOIA 25-R-046 (immigration enforcement support/civil disturbance ops)
From: "Patrick Eddington" <PEddington@cato.org>
Sent: 9/9/25, 2:15:20 PM
To: "n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil" <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>
CC: "Crump, Donna A CIV USAF AFELM NORTHCOM (USA)" <donna.a.crump.civ@mail.mil>

To the NORTHCOM FOIA staff,

This is Cato's third EDC request since July 8. Please immediately provide an estimated completion date for this request.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute

Author, *[The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower](#)*

Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

----- Original Message -----

From "Patrick Eddington" <PEddington@cato.org>

To "n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil" <n-nc.peterson.n-ncspecialstaff.mbx.cska-foia-omb@mail.mil>

Date 8/8/2025 1:43:55 PM

Subject Re: ECD request re Cato NORTHCOM FOIA 25-R-046 (immigration enforcement support/civil disturbance ops)

Exhibit 8

[Our phone numbers have changed.](#) [Click here for more info](#)



USTRANSCOM
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Freedom Of Information Act (FOIA) Service C

Requesting Information under FOIA

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To Submit a USTRANSCOM FOIA Request:

[F](#)

USTRANSCOM FOIA Request must be in writing. Telephone requests are not accepted. The request must state that the information is being requested under FOIA.

[F](#)

A record must exist and be in the possession and control of the Agency at the time of the requested to be considered subject to FOIA.

[F](#)

[C](#)

Provide the title of the record(s) you are requesting. If the exact title is not known, please provide a reasonable description of the record(s).

[F](#)

The request must state a willingness to pay fees assessed for search, review, and reproduction.

[F](#)

Please ensure that these elements are addressed in the request to avoid delays in processing.

[L](#)

To Submit a FOIA request via U.S. Mail, please download, print, and complete the form. Mail the completed form to:

[F](#)

[F](#)

[li](#)

USTRANSCOM/TCJA-FO
Attn: FOIA Officer
508 Scott Drive
Scott AFB IL 62225-5357

[Download FOIA Request Form](#)

To Submit a FOIA request on-line fill out the form below:

[C](#)

**** Note: This form cannot be used for Privacy Act Requests.

[C](#)

Process: *

[F](#)

[C](#)

FOIA Process **First and Last Name: ***


PATRICK EDDINGTON

Street Address *

1000 MASSACHUSETTS AVE., NW

City *

WASHINGTON

State *District of Columbia **Zip Code: ***

20001

Phone: *

Please enter phone number including area code. (xxx-xxx-xxxx)

E-mail: *

peddington@cato.org

Message: * 225 characters remaining

1. RECORDS THAT CITE OR MENTION OPERATIONAL ORDERS (OPORDS), OPERATION PLANS (OPLANS), STANDARD OPERATING PROCEDURES (SOPS), INSTRUCTIONS OR GUIDANCE FROM HQ TRANSCOM TO TRANSCOM SUBORDINATE ELEMENTS MENTIONING OR CITING DETENTION PLANNING AND IMPLEMENTATION IN IMMIGRATION ENFORCEMENT, OR DOMESTIC CIVIL DISTURBANCE OR CIVIL UNREST OPERATIONS; AND 2. RECORDS THAT CITE OR MENTION PRESIDENT TRUMP'S APRIL 11, 2025 NATIONAL SECURITY PRESIDENTIAL MEMORANDUM/NSPM-4 MILITARY MISSION FOR SEALING THE SOUTHERN BORDER OF THE UNITED STATES AND REPELLING INVASIONS. THE DATE RANGE OF THIS REQUEST IS JANUARY 20, 2025, TO THE DATE YOU CONDUCT YOUR SEARCH FOR RECORDS. PLEASE NOTE THAT THIS REQUEST

Nature of Request *

In order to determine status to assess fees, please select from the following:

Education/Non-Commercial - scholarly purp **Media Name:**

Please enter the Media Name if you chose "News" as the reason for your request.

Media Type:

In order to determine status to assess fees, please select from the following:

Purpose: (If seeking a waiver of costs) * 3 characters remaining


IN ORDER TO HELP TO DETERMINE MY STATUS TO ASSESS FEES, YOU SHOULD KNOW THAT I AM A SENIOR FELLOW AND SCHOLAR AT THE CATO INSTITUTE, AN IRS-RECOGNIZED 501(C)(3) NONPROFIT EDUCATIONAL AND PUBLIC INTEREST ORGANIZATION. AS I AM EMPLOYED BY AN EDUCATIONAL OR NONCOMMERCIAL SCIENTIFIC INSTITUTION, THIS REQUEST IS MADE FOR A SCHOLARLY OR SCIENTIFIC PURPOSE AND NOT FOR A COMMERCIAL USE. I REQUEST A WAIVER OF ALL FEES FOR THIS REQUEST. DISCLOSURE OF THE REQUESTED INFORMATION TO ME IS IN THE PUBLIC INTEREST BECAUSE IT IS LIKELY TO CONTRIBUTE SIGNIFICANTLY TO PUBLIC UNDERSTANDING OF THE OPERATIONS OR ACTIVITIES OF THE GOVERNMENT AND IS NOT PRIMARILY IN MY COMMERCIAL INTEREST

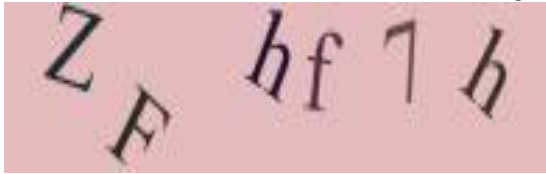
Willingness to pay fees (amount you are willing to pay): ***Explanation of consideration of a request of fee waiver: 512 characters remaining**

THE PUBLIC HAS AN URGENT NEED FOR INFORMATION ABOUT POTENTIAL DOD OR DOD COMPONENT PLANNING OR OPERATIONS INVOLVING THE DOMESTIC USE OF ACTIVE DUTY OR FEDERALIZED NATIONAL GUARD PERSONNEL FOR IMMIGRATION ENFORCEMENT OR CIVIL DISTURBANCE/CIVIL UNREST OPERATIONS AS SUCH ACTIONS REPRESENT A CLEAR AND PRESENT DANGER TO THE CONSTITUTIONAL RIGHTS OF AMERICANS. THE PRESIDENTIAL DIRECTIVE CITED ABOVE HAS BEEN AND REMAINS A VERY HIGH-PROFILE TOPIC OF INTENSE PUBLIC AND CONGRESSIONAL INTEREST.

Additional comments: 1000 characters remaining

Enter the **case-sensitive** text from the image into the box below it: *

 Click to refresh the CAPTCHA image.



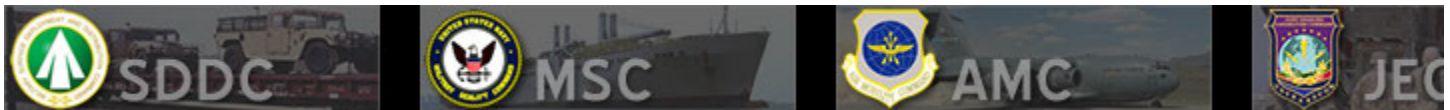
Fields marked with * are required.

Submit

Please correct the following:

Your Phone Number is not in proper US format
(xxx-xxx-xxxx)

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Exhibit 9

Subject: Acknowledgement FOIA request 25-0097-F
From: "TRANSCOM Scott AFB TCJA Mailbox FOIA" <transcom.scott.tcja.mbx.foia@mail.mil>
Sent: 4/24/25, 7:59:30 AM
To: "peddington@cato.org" <peddington@cato.org>
CC: "TRANSCOM Scott AFB TCJA Mailbox FOIA" <transcom.scott.tcja.mbx.foia@mail.mil>

Good morning Patrick Eddington,

This acknowledges the receipt of your FOIA request. Your request is being processed in accordance with the Department of Defense Manual (DoDM) 5400.07, DoD FOIA Program and has been assigned USTRANSCOM FOIA tracking number 25-0097-F.

Below is a link to our website which will update you on the status of your request.

https://url.avanan.click/v2/r01/___https://www.ustranscom.mil/foia/request-status.cfm___YXAzOmNhdG9pbmN0aXRldGU6YTpvOjQ1ZGY5ZjRiZjEzZjQ4NTlhNDJiOWQwMmVmZjRkZTg2Ojc6ZDIwZDpiZDM1ODUwM2MxOGEwMGRhNDk1OTg5OTQwMjFmOTc0NGl0MzZlYTnkMzJmN2ZmMmMxMjcxZGI0OWM4NDE0YzZiOnQ6VDpO

Please feel free to contact us if you have questions at 618/817-4100 or email transcom.scott.tcja.mbx.foia@mail.mil.

Respectfully,

C.P.

Collin P. (C.P.) Lehr
Assistant Command FOIA, Privacy, Civil Liberties and MDR Office
USTRANSCOM/TCJA-FO

☎ Comm (Jabber): 618-817-4104/4100 DSN: 322-817

☎ Fax: 618-256-8356 DSN: 576

✉ NIPR: Collin.p.lehr.civ@mail.mil

✉ SIPR: Collin.p.lehr.civ@mail.smil.mil

✉ Office: transcom.scott.tcja.mbx.foia@mail.mil

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Subject: RE: EDC inquiry re: Cato TRANSCOM FOIA 25-0097-F (immigration enforcement/civil disturbance support ops)
From: "TRANSCOM Scott AFB TCJA Mailbox FOIA" <transcom.scott.tcja.mbx.foia@mail.mil>
Sent: 9/9/25, 3:47:28 PM
To: "Patrick Eddington" <PEddington@cato.org>

Good Afternoon Mr. Eddington,

USTRANSCOM is currently searching our records for responsive information regarding FOIA Request 25-0097-F. We will provide a response after our search and review process has been completed. Our FOIA request status site on our webpage has been updated. Please let us know if you have any further questions. Thank you.

<https://www.ustranscom.mil/foia/request-status.cfm>

v/r,

Command FOIA, Privacy, Civil Liberties & MDR Office
USTRANSCOM/TCJA-FO
transcom.scott.tcja.mbx.foia@mail.mil

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From: Patrick Eddington <PEddington@cato.org>
Sent: Tuesday, September 9, 2025 1:04 PM
To: TRANSCOM Scott AFB TCJA Mailbox FOIA <transcom.scott.tcja.mbx.foia@mail.mil>
Subject: Re: EDC inquiry re: Cato TRANSCOM FOIA 25-0097-F (immigration enforcement/civil disturbance support ops)
Importance: High

Resending as I did not receive a response to my EDC request of August 8, 2025.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute
Author, *The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*
Bio page: <https://www.cato.org/people/patrick-g-eddington>
peddington@cato.org

----- Original Message -----

From "Patrick Eddington" <PEddington@cato.org>

To "transcom.scott.tcja.mbx.foia@mail.mil" <transcom.scott.tcja.mbx.foia@mail.mil>

Date 8/8/2025 2:14:00 PM

Subject EDC inquiry re: Cato TRANSCOM FOIA 25-0097-F (immigration enforcement/civil disturbance support ops)

To the TRANSCOM FOIA office:

At present, the TRANSCOM FOIA request status website states that the estimated completion date for Cato's request is September 1, 2025. Is that EDC date accurate or do you anticipate the date slipping, and if so, by how long? Please advise ASAP.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute

Author, *[The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower](#)*

Bio page: <https://www.cato.org/people/patrick-g-eddington>

peddington@cato.org

Exhibit 11

April 22, 2025

VIA ELECTRONIC MAIL: FOIA@socom.mil

HQ USSOCOM
FOIA Requester Service Center
ATTN: SOCS-SJS-F
7701 Tampa Point Blvd.
MacDill AFB, FL 33621-5323

To the responsible FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request records (as defined in 44 U.S.C. § 3301) regarding the following:

1. Records that cite or mention operational orders (OPORDs), operation plans (OPLANS), standard operating procedures (SOPs), instructions or guidance from HQ SOCOM to SOCOM subordinate elements mentioning or citing:
 - a. detention planning and implementation in domestic civil disturbance or civil unrest operations;
 - b. law enforcement operations, including security and presence patrols, crowd control, and traffic management support to either deployed DoD elements or civil authorities in domestic civil disturbance or civil unrest operations, including IAA (Incident Awareness and Assessment) and UPAD (Unclassified Processing Analysis and Dissemination);
 - c. rules for use of force (RUF) in domestic civil disturbance or civil unrest operations;
 - d. rules for use of force (RUF) in immigration enforcement or support to civil authorities in immigration enforcement operations;
2. Records that cite or mention President Trump's April 11, 2025 [National Security Presidential Memorandum/NSPM-4 Military Mission for Sealing the Southern Border of the United States and Repelling Invasions](#)

The date range of this request is January 20, 2025, to the date you conduct your search for records. Please note that this request **excludes** any responsive documents publicly posted on DoD or DoD component websites.

In order to help to determine my status to assess fees, you should know that I am a Senior Fellow and scholar at the Cato Institute, an IRS-recognized 501(c)(3) nonprofit educational and public interest organization. As I am employed by an educational or noncommercial scientific institution, this request is made for a scholarly or scientific purpose and not for a commercial use. I request a waiver of all fees for this request.

Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

Whenever possible, please provide the requested information in electronic Portable Document Format (PDF).

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I would appreciate your communicating with me by email or telephone, rather than by mail. My email address is peddington@cato.org and my cell number is .

Please provide expedited processing of this request which concerns a matter of urgency. As a Senior Fellow, my job is disseminating information. The public has an urgent need for information about potential DoD or DoD component planning or operations involving the domestic use of active duty or federalized National Guard personnel for immigration enforcement or civil disturbance/civil unrest operations as such actions represent a clear and present danger to the constitutional rights of Americans. The presidential directive cited above has been and remains a very high-profile topic of intense public and Congressional interest.

Accordingly, on Cato's behalf I ask for expedited processing on that basis. I certify that my statements regarding the need for fee waivers and expedited processing are true and correct to the best of my knowledge and belief. I look forward to your determination regarding my request for expedited processing within 10 calendar days, as the statute requires. Thank you for your assistance.

Sincerely,

Patrick G. Eddington
Senior Fellow
Cato Institute
1000 Massachusetts Ave., NW
Washington, DC 20001

peddington@cato.org

Fw: (U) USSOCOM FOIA 2025-250 - Acknowledgement

----- Forwarded Message -----

From "USSOCOM FOIA" <FOIA@socom.mil>
To "Patrick Eddington" <PEddington@cato.org>
Date 5/12/2025 1:45:44 PM
Subject (U) USSOCOM FOIA 2025-250 - Acknowledgement

CAUTION: External Email

Classification: UNCLASSIFIED

Message Body Classification: UNCLASSIFIED

Dear Mr. Eddington,

We have received your Freedom of Information Act (FOIA) request (copy attached) submitted to U.S. Special Operations Command (USSOCOM), which is copied below. It has been assigned USSOCOM FOIA 2025-250. Please refer to this number should you have any questions concerning your request.

Your request is being processed in accordance with procedural requirements promulgated in Department of Defense (DoD) Manual 5400.07, which is available on the internet at: https://open.defense.gov/Portals/23/Documents/FOIA/FOIA_Resources/DoDM%205400.07.pdf?ver=2017-03-15-135646-847. The actual processing time will depend upon its complexity, whether it involves sensitive records, voluminous records, extensive searches, consultation among DoD components or other agencies, and our administrative workload.

In requesting expedited processing, you are asking for this request to be placed ahead of all requests currently in our queue due to a compelling/urgent need pursuant to DoD Regulation 5400.7, Section C1.5.4.3. After carefully considering your request for expedited processing, we have determined that it does not meet the criteria under this standard; therefore, your expedited processing request has been denied. However, we will continue to process this request as expeditiously as possible.

After carefully considering your request for a fee waiver, it has been determined that you have not established your qualifications to meet the criteria for a fee waiver as discussed in DoD Regulation 5400.7, Chapter 6; therefore, your fee waiver request has been denied. We have placed you in the "Educational" category for fee purposes, which means you are obligated to pay for any duplication costs after the first 100 pages; however, depending on the size of the documents, we may provide the final release on CD or electronically and no charges would be applicable.

The USSOCOM FOIA Office 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 the amount of work and time involved in processing each request. We estimate the time for completion to be approximately 36-48 months; it could be more or less. If you wish to discuss this or have any other questions or concerns, please contact this office at FOIA@socom.mil.

If further assistance is needed or to discuss any aspect of your request, email the USSOCOM FOIA Office at foia@socom.mil. Should you wish to inquire about mediation services, you may communicate with the OSD/JS FOIA Public Liaison, Ms. Toni Fuentes, by email: osd.foialiaison@mail.mil, or phone: (571) 372-0462. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration by mail: [8601 Adelphi Road-OGIS](mailto:ogis@nara.gov), College Park, MD 20740-6001, email: ogis@nara.gov, telephone: (202) 741-5770, toll free: (877) 684-6448; or fax: (202) 741-5769.

If you are not satisfied with this decision, you have the right to appeal to the appellate authority by mailing Ms. Joo Chung, Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency (PCLT), Office of the Secretary of Defense, ATTN: PCLFD, FOIA Appeals, Mailbox #24, [4800 Mark Center Drive, Alexandria, VA](mailto:osd.foia-appeal@mail.mil) 22350-1700. Your appeal must be postmarked within 90 calendar days of the date of this letter. Alternatively, you may email your appeal to osd.foia-appeal@mail.mil; include the words *FOIA Appeal* in the subject line, and please cite case number USSOCOM FOIA 2025-250 in any correspondence.

Regards,

USSOCOM FOIA Team

From: Patrick Eddington <PEddington@cato.org>

Sent: Tuesday, April 22, 2025 1:06 PM

To: USSOCOM FOIA <FOIA@socom.mil>

Subject: [Non-DoD Source] Cato Institute SOCOM FOIA request re: immigration enforcement and civil disturbance/civil unrest support ops

Importance: High

To the SOCOM FOIA office:

Please find attached a request regarding the above captioned matter.

Sincerely,

Patrick G. Eddington

Senior Fellow

Cato Institute

Author, *The Triumph of Fear: Domestic Surveillance and Political Repression from McKinley through Eisenhower*

Bio page: <https://www.cato.org/people/patrick-g-eddington>

peddington@cato.org

Attachment Classification: UNCLASSIFIED

Message Body Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

2 attachments

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