EXHIBIT A

DEPARTMENT OF WAR
OFFICE OF THE GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

October 27, 2026

FOIAs: 26-F-2511/26-F-0130; Civil Action: 1:26-cv-13447 (D. Mass.)

Mr. Daniel McFadden, et al.
ACLU Foundation of Massachusetts
One Center Plaza, Suite 850
Boston, MA 02108
dmcfadden@aclum.org

cc: jrossman@aclum.org; jbava@aclum.org

Dear Counsel:

This is our final response to the June 11, 2026 Freedom of Information Act (FOIA) referral from the U.S. Marine Corps to the OSW/JS FOIA Requester Service Center. This referral, now in litigation before Judge Saris, was assigned Department FOIA case number 26-F-2511. The referral consisted of three responsive records. Enclosed are those records, totaling nine (9) pages.

This is also our first interim response to your October 22, 2025 FOIA request to OSW/JS seeking records pertaining to the Department's assignment of military personnel to serve as Temporary Immigration Judges. That request, also now in litigation before Judge Saris, was assigned Department FOIA case number 26-F-0130. Enclosed is a responsive document totaling eleven (11) pages.

In each response, we are withholding some information under 5 U.S.C. § 552 (b)(6), which protects personnel, medical, or other similar information if disclosure would result in a "clearly unwarranted invasion of the personal privacy of individuals." We have conducted a reasonable segregation and foreseeable harm analysis as required by the FOIA Improvement Act of 2016.

As this FOIA is in litigation, your appellate rights and fee waiver determination are moot. Please direct any questions to AUSA Shawna Yen at Shawna.Yen@usdoj.gov. Thank you.

Sincerely,

/s/

Sarah Mottern
Associate Deputy General Counsel
U.S. Department of War

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