EXHIBIT C

OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1000

AUG 27 2025

MEMORANDUM FOR EXECUTIVE SECRETARY, DEPARTMENT OF JUSTICE

SUBJECT: (U) Potential Department of Defense Support for Immigration Adjudication

(CUI) In response to your August 23, 2025 request for assistance I am writing to notify you that the Secretary of Defense has approved detailing up to 600 judge advocates from the Active and Reserve Components of the Military Services, as well as among Military Department civilian attorneys, to the Department of Justice (DOJ) to serve as Temporary Immigration Judges (TIJ), subject to the requirements below. Pursuant to your request and the Secretary's direction, individual details will not exceed 179 days, will be renewable, and, consistent with your request, will be on a fully reimbursable basis. Details will begin as soon as practicable and will be executed in cohorts of up to 150 individuals.

(CUI) The Department of Defense (DoD) support is contingent upon several conditions. First, sufficient numbers of qualified officers and civilian attorneys must be available, as identified by the Military Departments. To that end, DoD is currently assessing the availability of qualified officers and civilian attorneys within the various Military Departments and Services; the Secretary of Defense has directed the Military Departments to identify an initial series of suitable attorneys by September 11, 2025. Second, the detail and, if necessary, the mobilization of Reserve Component officers, would be subject to applicable legal authorities, regulations, and interagency agreements. Third, DoD understands that DOJ would be responsible to confirm that its envisioned use of detailed military officers as immigration judges would not violate the Posse Comitatus Act or other U.S. law. Fourth, DoD and DOJ would need to conclude an interagency support agreement governing the details.

(CUI) The Secretary of Defense has directed the Military Departments to identify an initial series of suitable attorneys by September 11, 2025. Following this action DoD will be in a position to provide you with its first cohort of attorneys for training purposes. My point of contact for this action is John Cooper, Chief of Staff to the DoD General Counsel.

(b) (6)

COL, USA
Executive Secretary

cc:
Secretaries of the Military Departments
CJCS
USD(P)
Chief, NGB
DoD GC

Controlled By: OUSD(P)/HD&HA
CUI Category: OPSEC
Limited Dissemination Control: FEDCON
POC: OASD (HD&HA) (b) (6)