



DEPARTMENT OF DEFENSE
FREEDOM OF INFORMATION DIVISION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155

Ref: 21-F-0201
April 7, 2022

Austin Evers
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005

Dear Mr. Evers:

This is a final response to your November 17, 2020 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on November 17, 2020, and assigned it FOIA case number 21-F-0201. We ask that you use this number when referring to your request.

The Office of General Counsel, a component of the Office of the Secretary of Defense, conducted a search of their records systems and located two pages determined to be responsive to your request. Mr. David Bennett, Director, Office of Information Counsel, in his capacity as an Initial Denial Authority, has determined that portions of the two responsive pages are exempt from release pursuant to 5 U.S.C. § 552 (b)(6), which pertains to information, which, if released, would constitute a clearly unwarranted invasion of the personal privacy of individuals.

In this instance, fees for processing your request were below the threshold for requiring payment. Please note that fees may be assessed on future requests.

If you have any questions or concerns about the foregoing or about the processing of your request, please do not hesitate to contact the Action Officer assigned to your request, Raymond Hartwick, at raymond.j.hartwick.civ@mail.mil or 571-372-0432. 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, Tonya R. Fuentes, at 571-372-0462 or by email at OSD.FOIALiaison@mail.mil, or 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 21-F-0201 in any appeal correspondence.

We appreciate your patience in the processing of your request. As stated previously, please contact the Action Officer assigned to your request, Raymond Hartwick, and reference FOIA case number 21-F-0201 if you have any questions or concerns.

Sincerely,

for Pamela Andrews
Stephanie L. Carr
Chief

Enclosures:
As stated

(b)(6)

CIV OSD OGC (USA)

From: Ney, Paul C Jr HON OSD OGC (USA)
Sent: Monday, December 28, 2020 10:42 AM
To: Ellis, Michael J. EOP/NSC
Subject: RE: Pre-Appointment Review for Michael Ellis for NSA GC

Good to see. Thanks.

Paul C. Ney, Jr.
General Counsel
U.S. Department of Defense
The Pentagon, Room (b)(6)
Washington, D.C. 20301-1600

(b)(6)

CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the Office of the DoD General Counsel.

From: Ellis, Michael J. EOP/NSC <(b)(6)>
Sent: Monday, December 28, 2020 10:35 AM
To: Ney, Paul C Jr HON OSD OGC (USA) <(b)(6)>
Subject: Fwd: Pre-Appointment Review for Michael Ellis for NSA GC

Paul, FYI.

Begin forwarded message:

From: (b)(6) DODHRA DCPAS (USA)"
(b)(6)
Date: December 28, 2020 at 10:17:28 AM EST
To: "Ellis, Michael J. EOP/NSC" (b)(6)
Subject: Pre-Appointment Review for Michael Ellis for NSA GC

Hey Michael,

Documentation sent over to OPM. I'll let you know if they come back with any additional questions.

(b)(6)

Human Resources Specialist

Defense Executive Resources Management Office (DERMO)

Defense Civilian Personnel Advisory Service(DCPAS)

(b)(6)