



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

Ref: 20-F-0082
May 26, 2021

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

Dear Mr. Evers:

This is a final response to your October 11, 2019 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on October 11, 2019 and assigned it case number 20-F-0082. 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 (IDA) has determined that the two pages are withheld in their entirety pursuant to 5 U.S.C. § 552 (b)(5), which pertains to inter- and intra- agency memoranda which are deliberative in nature; this exemption is appropriate for internal documents which are part of the decision making process, and contain subjective evaluations, opinions and recommendations.

Your request has been closed in this office. 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, Director of Oversight and Compliance, Office of the Secretary of Defense, by writing directly to the following address: 4800 Mark Center Drive, ATTN: DPCLTD, 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 20-F-0082 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 20-F-0082 if you have any questions or concerns.

Sincerely,

Stephen L. Fisher
For Stephanie L. Carr
Chief

Enclosure:
As stated