



OFFICE of GOVERNMENT INFORMATION SERVICES

September 8, 2016 — Sent via email

[REDACTED]

Re: Case No. 201600469
NG: CM: KG

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
OGIS
COLLEGE PARK, MD
20740-6001

web: www.ogis.archives.gov
e-mail: ogis@nara.gov
phone: 202-741-5770
toll-free: 1-877-684-6448
fax: 202-741-5769

Dear [REDACTED]:

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on February 4, 2016 via email. Your request for assistance pertains to your records requests to the Department of Defense (DOD).

OGIS was created to complement existing Freedom of Information Act (FOIA) practice and procedure; we strive to work in conjunction with the existing request and appeal process. The goal is for OGIS to allow, whenever practical, the requester to exhaust his or her remedies within the agency, including the appeal process. Please know that OGIS has no investigatory or enforcement power, nor can we compel an agency to release documents. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

OGIS provides mediation services to resolve disputes between FOIA requesters and Federal agencies. After opening a case, OGIS gathers information from the requester and the agency to learn more about the nature of the dispute. This process helps us gather necessary background information, assess whether the issues are appropriate for mediation, and determine the willingness of the parties to engage in our services. As part of our information gathering, OGIS carefully reviewed your submission of information related to your three DOD FOIA requests.

Request No. [REDACTED] HQ FOIA Office

You submitted this request to DOD on [REDACTED]. On [REDACTED] DOD informed you that the FOIA Office referred [REDACTED] responsive pages to the Army for processing. On [REDACTED] Army confirmed receipt of the documents and reassigned your request tracking [REDACTED]. You have not received a final response to your request.



September 8, 2016

Page 2 of 2

Request No. [REDACTED] to Army Research, Development and Engineering Command (RDECOM)

You submitted this request to RDECOM on [REDACTED]. You worked with the agency to determine if RDECOM had records responsive to your request and revised your request on [REDACTED]. On [REDACTED] the agency responded to your request, releasing responsive records in part. The agency also referred six documents to the U.S. Army Chemical Corp and one document to the Navy Department of Research. You alerted RDECOM on [REDACTED] that the U.S. Army Chemical Corp rejected the referral. The Navy Department of Research responded to the referral.

Appeal No. [REDACTED]

On [REDACTED] DOD's Office of the Judge Advocate General (OTJAG) contacted you regarding six records referred to their office, which were assigned the appeal number listed above. You confirmed your continued interest in this request, and informed the agency that you did not appeal this matter; rather, the six records in question were related to request [REDACTED]. On [REDACTED] OTJAG informed you that the request was referred to Army Materiel Command (AMC). AMC has not acknowledged this referral by OTJAG.

In response to your submission, we contacted DOD's OGIS Liaison [REDACTED] to discuss the status of your pending requests. Despite months of effort, OGIS and [REDACTED] were unable to obtain estimated dates of completion from the Army and the AMC. While this outcome is unfortunate, OGIS is limited in its authority to enforce the provisions of FOIA (including that agencies provide an estimated date of completion upon request). While OGIS could not obtain the requested status and an estimated date of completion for you, the law allows you to seek assistance from the agency's FOIA Public Liaison. The Army FOIA Public Liaison, Alecia Boling, informed OGIS that the six records were recently sent as a consultation request to the U.S. Army Chemical School for review. Please contact Ms. Boling concerning this matter in the future. For your reference, I am attaching Ms. Boling's contact information.

We regret we could not provide you any assistance. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

NIKKI GRAMIAN
Acting Direction

cc: James Hogan, FOIA Public Liaison, Department of Defense
Alecia Boling, FOIA Public Liaison, Department of the Army

We appreciate your feedback. Please visit <https://www.surveymonkey.com/s/OGIS> to take a brief anonymous survey on the service you received from OGIS.