

UNCODIFIED office and officer of EPA issue FOIA ORDERS!

Brady Eames <ibuncle@yahoo.com>

Dec 10, 2014 1:48 AM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, Referring to the attached FOIA document of the **EPA** and to the **OUTDATED organizational rules** of the **EPA** codified under *40 CFR-Part 1* and to the **pre-2007 OUTDATED FOIA regulations** of the **EPA** codified under *40 CFR-Part 2*, it appears that an UNCODIFIED "**Office of Environmental Information**" and an UNCODIFIED "**National FOIA Officer**" (Larry Gottesman-current FOIA Advisory committee member) have, for an on behalf of the **EPA**, ordered by adjudication (such order is **NOT**, by the way, recorded on "FOIAonline " under EPA-HQ-2015-002029) the following: (1) a denial of my fee waiver request regarding the UNCODIFIED "FOIAonline "; (2) payment of fees associated with my request for records regarding the UNCODIFIED "FOIAonline "; (3) that I appeal such adverse order to an UNCODIFIED "National **Freedom of Information Office**". Illegal, suspicious and arbitrary to say the least! Sincerely, Brady Eames

On Tuesday, December 9, 2014 9:34 AM, "haywood.kevin@epa.gov" <haywood.kevin@epa.gov> wrote:

12/09/2014 11:32 AM

FOIA Request: EPA-HQ-2015-002029

NARA neglects to acknowledge EXPEDITED FOIA request and issue order within 10 days!

Brady Eames <ibuncle@yahoo.com>

Dec 10, 2014 2:16 AM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, This forwarded *Revised Expedited* Freedom of Information Act Request has still NOT been acknowledged by the NARA and an order with respect to it has still **NOT** been issued by the NARA. Illegal and suspicious to say the least. Sincerely, Brady Eames

On Monday, November 24, 2014 1:14 PM, Brady Eames <ibuncle@yahoo.com> wrote:

REVISED EXPEDITED FREEDOM OF INFORMATION ACT (FOIA) REQUEST

Date: Monday-November 24, 2014

To: **National Archives and Records Administration (NARA)**

Attn: **NARA FOIA Officer**

Email: FOIA@nara.gov

Authorities:

-5 USC § 552(a)(3)

-36 CFR § Part 1250-NARA Records Subject to FOIA (79 FR 56504 of September 22, 2014)

-eCFR-current as of November 20, 2014:

(<http://www.ecfr.gov/cgi-bin/text-idx?>

[SID=17fe952547993c8b616aed8b928b1c7b&tpl=/ecfrbrowse/Title36/36cfrv3_02.tpl#1200](http://www.ecfr.gov/cgi-bin/text-idx?SID=17fe952547993c8b616aed8b928b1c7b&tpl=/ecfrbrowse/Title36/36cfrv3_02.tpl#1200))

-FOIA.gov:

<http://www.foia.gov/report-makerequest.html>

Believed Creators and Guardians of Records:

- (a) Office of **NARA's** head who is titled Archivist of the United States (Archivist).
- (b) **Office of** NARA's deputy head who is titled **Deputy Archivist (Deputy Archivist)**.
- (c) NARA's Office of **General Counsel (OGC)**.
- (d) **NARA's** Office of **Chief Information Officer (CIO)**.
- (e) NARA's Office of **Chief Freedom of Information Act Officer (CFOIAO)**.
- (f) NARA's Office of **Government Information Services (OGIS)**.

Reasonable Descriptions of Requested Records:

- (1) Citations of any and all statutes and administrative regulations which authorize and govern the establishment, organization, security, privacy and administration of "FOIAonline".
- (2) Any and all Executive directives which authorize and govern the establishment, organization, security, privacy and administration of "FOIAonline".
- (3) NARA's Privacy impact assessment with respect to "FOIAonline".

- (4) Documentation of the conduction and review of the NARA's privacy impact assessment with respect to "FOIAonline ".
- (5) Any and all Federal and NON-Federal advice, counsel and recommendations with respect to the establishment, organization, security, privacy, administration and legality of "FOIAonline ".
- (6) Physical location where "FOIAonline " is established, organized and administered and where a **FOIA** request submitted to "FOIAonline " is protected and kept private.
- (7) Identities of and contact information for any and all **NON-Federal entities** which are responsible for "FOIAonline ".
- (8) Any and all evidence of whether "FOIAonline " is subject to "**cloud computing**".
- (9) When and where the NARA made its final determinations, priorities and schedules with respect to "FOIAonline " available for public comment.
- (10) Any and all notices published by the NARA and/or the OGIS in the FEDERAL REGISTER notifying the public of the establishment, organization, security, privacy, administration and legality of "FOIAonline ".
- (11) Any and all notices published by the NARA and/or the OGIS on their respective websites notifying the public of the establishment, organization, security, privacy, administration and legality of "FOIAonline ".
- (12) Titles and the members of any and all initiatives, programs, councils, committees, subcommittees, boards or any other groups established with respect to the establishment, organization, security, privacy, administration and legality of "FOIAonline ".
- (13) Identities and titles of any and all officers of the NARA and/or the **OGIS** who headed or co-headed any initiatives, programs, councils, committees, subcommittees, boards or any other groups established with respect to the establishment, organization, security, privacy, administration and legality of "FOIAonline ".
- (14) Any and all meeting dates, minutes, locations and agenda with respect to the establishment, organization, security, privacy, administration and legality of "FOIAonline ".

Format of Records Sought: electronic (**NOT internet website-page addresses**) or paper if not available electronically.

Request for Expedited Adjudication (see *CFR 1250.28(a)(2)*):

The **NARA** is providing for the electronic filing of a **FOIA** request by "FOIAonline " under *36 CFR 1250.24* and for the filing of appeals of certain initial adjudications which have been made with respect to certain **FOIA** Requests of **Brady Eames**. Until and unless **Brady Eames** see the records reasonably described above, he does not believe in the legality of "FOIAonline ". **Brady Eames** certifies this statement to be true and correct to the best of his knowledge and belief.

Request for Waiver of Fees (see *5 USC § 552(a)(4)(A)(iii)* and *36 CFR 1250.56*):

Explanation of Request: The records requested and described above most certainly concern the operations and activities of the Federal government, Archivist , Deputy Archivist , OGC, CIO, **CFOIAO** and OGIS and the rights and obligations of the NARA and the public under the FOIA and will likely contribute significantly to the public's understanding of the establishment, organization, security, privacy, administration and legality of "FOIAonline " considering such records do not appear to have been published and made available in the FEDERAL REGISTER, the Code of Federal Regulations and/or not published on the website of the NARA and/or of the OGIS and/or not made available in the Federal Regional Depository Library in Logan, Utah.

Requester:

Brady Eames

Physical address: 478 E. 700 N.-Apt. #2
Logan, UT 84321

E-mail address: ibuncle@yahoo.com

Phone number: 435-881-1022

Thank you

UNCODIFIED office and officer of OPM issues FOIA orders!!!

Brady Eames <ibuncle@yahoo.com>

Dec 10, 2014 5:03 AM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, Referring to the attached FOIA document of the **OPM** and to the **OUTDATED administrative regulations** of the **OPM** codified under *Title 5 of the CFR*, it appears that an UNCODIFIED office titled "**Partnership and Labor Relations** " and an **UNCODIFIED** officer titled "**Deputy Associate Director**" (Tim Curry who is also the Designated Federal Officer for the **National Council on Federal Labor Management Relations** (NCFLMR)) have, for an on behalf of the **OPM**, ordered the following: **(1) concealment** of records regarding the **legal issues** surrounding President Obama's **labor-management forums** and the FACA; **(2) concealment** of President Obama's dispositions to Congress with respect to the administrative recommendations of the **NCFLMR**; **(3) that I appeal** such adverse orders to an UNCODIFIED "**Office of the General Counsel**". Illegal, suspicious and arbitrary to say the least! Sincerely, Brady Eames

On Wednesday, December 3, 2014 1:58 PM, "Internet, FOIA" <FOIA.Internet@opm.gov> wrote:

Good afternoon Mr. Eames:

The response to OPM FOIA 2015-00665 follows.

Office of the Chief Information Officer
Freedom of Information Act
Requester Service Center
Telephone: (202) 606-3642
E-mail: FOIA@opm.gov

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Dear Mr. Eames:

This is in response to the following requests:

- Emails dated September 29, 2014 and October 8, 2014 regarding: (1) the delegation of the President's duty to report to Congress pursuant to section 6(b) of the Federal Advisory Committee Act (FACA); and (2) the amendment of the charter of the National Council on Federal Labor-Management Relations to indicate said delegation. Specifically, you state that the 2012 and 2014 charters of the National Council on Federal Labor-Management Relations have not been amended to show

the delegation. You did not request any documents in these emails.

- Email dated September 29, 2014 questioning why follow-up reports to Congress with respect to recommendations made to the President by the National Council on Federal Labor-Management Relations were not made available on the websites of the Council, OPM, or the White House and were not made available in the Federal Regional Depository Library in Logan, Utah. You did not request any documents in these emails.
- Email dated October 17, 2014 requesting “the report(s) mandated under the FACA § 6(b) which states any and all of President Obama’s proposals for action or reasons for inaction with respect to any and all recommendations made to him by the following non-discretionary Presidential Federal advisory committee established by hi under the Executive Order (EO) so indicated: ‘National Council on Federal Labor-Management Relations’ EO 13522 of December 9, 2009”

Although only the October 17, 2014 email was submitted as Freedom of Information Act (FOIA) request, we are treating all of these inquiries, collectively, as if they were submitted as a FOIA request for purposes of responding. Your FOIA has been assigned FOIA control number 2015-00665. This is the final response to your FOIA request.

We have carefully considered your request, and we have determined that we do not have any documentation to provide to you. The FOIA neither requires agencies to respond to questions, nor does it require agencies to create records in order to respond to FOIA requests as decided in *Goldgar v. Office of Admin., Executive Office of the President*, 26 F.3d 32, 35 (5th Cir. 1994). As a courtesy, we thank you for your inquiries and will look into these matters.

We would also note that while the National Council is a Federal Advisory Committee covered by the Federal Advisory Committee Act (FACA), the FACA also does not require agencies to perform research, analyze data, answer interrogatories, or create records in order to respond to a request. If you wish to request specific documents as provided for under FACA, the National Council on Federal Labor-Management Relations posts certain documents and provides timely access to others by email or mail on the Council’s website at www.lmrcouncil.gov.

Although we have no responsive records to provide to you, you have the right to appeal a “no records” response. If you are dissatisfied with this response, you may submit an appeal in writing within 60 days of the date of this letter to the following address:

U.S. Office of Personnel Management
Office of the General Counsel – FOIA APPEAL
1900 E Street, NW
Washington, DC 20415

Please include copies of the original request, the response you received, and a letter explaining your reason for appealing that response. Both the envelope and the appeal letter should denote that the package is a Freedom of Information Act Appeal.

Sincerely,

Tim Curry
Deputy Associate Director,
Partnership and Labor Relations
U.S. Office of Personnel Management

Obama's OA establishes 3 cases of constructive exhaustion of administrative FOIA remedies!!!

Brady Eames <ibuncle@yahoo.com>

Dec 10, 2014 4:33 PM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, In apparent ignorance of or contempt for *5 USC 552(a)(6)(A)(i)* and *5 CFR 2502.8(a)*, President Obama's **Office of Administration (OA)**, **THREE** cases of **exhaustion of administrative FOIA remedies** have been established pursuant to the **OA's General Counsel**, or his or her designee, failing or refusing to adjudicate and issue orders with respect to three FOIA requests which I duly submitted to the OA on **Tuesday-October 28, 2014** by USPA certified mail and return receipt (cost of \$6.70). At this time, a FOIA Requester Center, Chief FOIA Officer and FOIA Public Liaison of the **OA** have **NOT** been codified under the **pre-1996 OUTDATED 5 CFR-Part 2502** and contact information for such Center and officers are apparently being concealed by the **OA** pursuant to NOT being published on "whitehouse.gov" or "foia.gov" or "ogis.archives.gov". One would expect that the **Chief Executive FOIA Officer** of the land titled the **President of the United States** would certainly ensure and demand that his OA comply with the FOIA, as AMENDED, rather than one being shocked and outraged that the OA has absolutely no knowledge of or respect for its statutory FOIA duties and is actually engaged in the CONCEALMENT of Federal records. Please explain. Thank you, Brady Eames

OMB establishes 6 cases of constructive exhaustion of administrative FOIA remedies!!!

Brady Eames <ibuncle@yahoo.com>

Dec 10, 2014 4:45 PM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, In apparent ignorance of or contempt for *5 USC 552(a)(6)(A)(i)* and *5 CFR 1303.10(c)* President Obama's **Office of Management and Budget (OMB)**, SIX cases of **exhaustion of administrative FOIA remedies** have been established pursuant to the **OMB's "FOIA Officer"** failing or refusing to adjudicate and issue orders with respect to six FOIA requests which I duly submitted to the **OMB** between **Saturday-October 18, 2014** and **Monday-November 10, 2014** by email submission. One would expect that the **Chief Executive FOIA Officer** of the land titled the **President of the United States** would certainly ensure and demand that his OMB comply with the FOIA, as AMENDED, rather than one being shocked and outraged that the OMB has absolutely no knowledge of or respect for its statutory FOIA duties and is actually engaged in the CONCEALMENT of Federal records. Please explain. Thank you, Brady Eames