



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

Ref: 22-F-0786  
December 2, 2022

Mr. Reed Rubinstein  
611 Pennsylvania Avenue SE  
#231  
Washington, DC 20003

Dear Mr. Rubinstein:

This is a final response to your March 30, 2022 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on April 5, 2022, and assigned it FOIA case number 22-F-0786. We ask that you use this number when referring to your request.

The Office of the Under Secretary of Defense for Personnel and Readiness, a component of the Office of the Secretary of Defense, conducted a search of their records systems and located 53 pages determined to be responsive to your request. Mr. Cyrus Salazar, Director of ODEI, in his capacity as Initial Denial Authority (IDA), has determined that 28 pages are being 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. Please note that we have considered the foreseeable harm standard when reviewing records and applying exemptions under the FOIA in the processing of this request.

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, Shannon Cooper, at 571-372-0412 or Shannon.a.cooper.civ@mail.mil. 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, Toni Fuentes, at 571-372-0462, or by email at OSD.FOIALiaison@mail.mil. You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. 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 the following address: 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 22-F-0786 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, Shannon Cooper, and reference FOIA case number 22-F-0786, if you have any questions or concerns.

Sincerely,

*Stephen L. Fisher*

*For* Stephanie L. Carr  
Chief

Enclosure:  
As stated