Robert Hammond
[Requester's Address redacted.]
[Requester's .com email redacted.]

March 11, 2014
[March 11, 2015]

Robin Patterson
Head, Department of the Navy (DON) PA/FOIA Program Office
Office of the Chief of Naval Operations
2000 Navy Pentagon
Washington, DC 20350-2000

Joe Davidge
Department Chief, HIPAA/Privacy Act/FOIA/Civil Liberties Office
Walter Reed National Military Medical Center (WRNMMC)
8901 Wisconsin Avenue, Building 1, Deck 2 (2nd Floor), Room #2430
Bethesda, Maryland 20889-5600

Reference: (a) Department of the Navy (DON) Office of the Chief of Naval Operations letter 5720, Ser DNS-36JP/15U105010 of 7 Jan 15
(b) GAO Report GAO-12-828 of July 2012, subject Freedom of Information Act

Dear Ms. Patterson,

The assertions in the DON FOIA letter referenced above (which is included as Attachment A) are incorrect. Moreover, they are contradicted by FOIA case files and related correspondence that is required to be retained in the FOIA case files.

The sole issue prompting the DON PA/FOIA Program Office letter at Attachment A is my FOIA request to BUMED for the Walter Reed (WRNMMC) 2012 Annual FOIA report submission to BUMED. Per the email thread at Attachment B, BUMED has not answered that FOIA request nor has it been referred to WRNMMC, recorded in the FOIAonline central case tracking system used by DON or reported in the DON FY 2014 Annual FOIA Report submission. Moreover, there has been no separate telephone conversation regarding this matter (or the other matters in the letter); only the email thread at Attachment B, and the separate email thread initiated by DONCNO FOIA Request Service Center (through an unaccountable contractor) at Attachment C. The DON Annual FOIA Report submission for FY 2014 is inaccurate with regard to this request, and likely inaccurate related to the processing times reported for other requests.

My request for the WRNMMC FY 2012 Annual FOIA Report submission was submitted to BUMED on September 21, 2014, because the BUMED FY 2012 Annual FOIA Report submission posted on the BUMED website lists WRNMMC as a submitting command in their report, as do other documents posted on the Web. Additionally, documents obtained through a subsequent FOIA request to DON list WRNMMC as a DON reporting entity in the DON FY 2012 and 2013 Annual FOIA Report submissions See attachments D and http://www.med.navy.mil/SiteCollectionDocuments/FOIA/FY%202012.pdf .

My request to BUMED for the WRNMMC FY 2012 Annual FOIA Report submission remains open, pending a reply from BUMED, as required by the FOIA, governing regulations and policies.

ACTION REQUESTED – DON FOIA Office. As previously requested, please:

- assign a case tracking number to this request,
- enter the request under that case number into FOIAonline with a request date of September 21, 2014,
- include a copy of this correspondence in the case file linked to FOIAonline,
- reflect this as an open request in your Annual FOIA Report submissions going forward.

The delayed processing of this particular FOIA request is a relatively minor matter. BUMED could have responded the request, and DON FOIA could have made a simple administrative correction to the DON FY 2014 Annual FOIA report submission. Both still need to be done. However, the alternative decision to create a separate email thread and subject line for reply to this FOIA request, mischaracterize the issue, improperly attempt to close the FOIA request without an accountable FOIA decision from BUMED and then construct the factually incorrect and misleading high-level narrative contained in the DON FOIA Letter at Attachment A is concerning.

Regarding FOIA requests adjudicated by DON Jude Advocate General (JAG) Code14 in FY 2013, DON JAG has declined for well over eighteen months to provide the statutory basis for denial for appeals related to several FOIA requests submitted to WRNMMC for records known to be in WRNMMC custody. Nearly all appeals were submitted solely on the basis that WRNMMC failed to provide any reply during the statutory 20 day time period. DON JAG did not sustain the appeals or remand them back to WRNMMC. WRNMMC has still not responded to these open requests. All case records and correspondence confirm this. My concern regarding DON JAG is that DON JAG continues to refuse to provide the statutory basis for denial for FOIA request appeals, as required by the FOIA and governing regulations and policies.

Regarding the specific FOIA request referenced in your letter that I submitted to WRNMMC on June 22, 2013, appealed to DON JAG on July 22, 2013 and subsequently requested OGIS assistance, DON JAG has declined for over eighteen months to provide the statutory basis for denial for that request as well. In that request, the third sentence of my request clearly states an offer to pay up to $200 (identical to that of other FOIA requests), and WRNNMC improperly denied the request by falsely asserting that I did not offer to pay. WRNMMC simply did not want to answer the request. When OGIS inquired on my behalf, DON JAG ultimately conceded through OGIS only that I "was improperly advised." DON JAG has still not provided any statutory basis for denial or even affirmed that the request was denied. That request was not remanded to WRNMMC. WRNMMC has not opened the request under another case number, nor has WRNMMC provided any reply or other basis for denial. By this unethical tactic, any FOIA request could be denied, undermining the integrity of the FOIA process and the accuracy of FOIA reporting to DOD leadership and the Chief Justice of the United States.

In addition to the requests appealed to DON JAG discussed above, many other FOIA/PA requests submitted to WRNMMC since that time remain open without WRNMMC FOIA case tracking numbers assigned or any reply.

The statement that the Department of Defense and WRNMMC do not know where WRNMMC submitted its FY 2012 and FY 2013 Annual FOIA reports [and Quarterly Privacy Act (PA) Reports] is not credible. WRNMMC knows where the reports were submitted. It is worthy of note that WRNMMC has denied a FOIA requests for its FY2013 Annual FOIA report and FY2013 Quarterly Privacy Act Reports, improperly claiming them to be pre-decisional documents exempt under Exemption B5 even though DOJ guidelines require FOIA report submissions to be posted on public web sites and an agency's FOIA report does do not meet any of the requirements for citing that exemption. Similarly, WRNMMC has refused to provide any documents requested under FOIA related to the WRNMMC FY 2013 FOIA and PA reporting chains of command.

ACTION REQUSTED – WRNMMC Department Chief, HIPAA/Privacy Act/FOIA/Civil Liberties Office. Please reply to all email addresses and provide the following in PDF format:

- documents demonstrating the entity to whom WRNMMC submitted its FY 2012 Annual FOIA Report,
- documents demonstrating the entity to whom WRNMMC submitted its FY 2013 Annual FOIA Report,
- a copy of the WRNMMC FY 2013 Annual FOIA Report submission,
- documents demonstrating the entities to whom WRNMMC submitted its four FY 2013 Quarterly Privacy Act Reports for consolidated reporting to the United States Congress,
- copies of the WRNMMC four FY 2013 Quarterly Privacy Act Report submissions.

Finally, there are many very significant issues regarding WRNMMC FOIA and PA request processing/compliance (in addition to those cited above) that are currently being addressed at the WRNMMC/DHA working level with senior leadership awareness. These matters may be addressed in more detail at a later time, if not resolved.

The matters addressed in this letter (and those being addressed at the WRNMMC/DHA working level) go to the heart of the integrity of the FOIA process and the accuracy of FOIA/PA reporting to DOD leadership, the Chief Justice and the United States Congress. This may be a matter of concern for DON CIO, DOD CIO and OGIS.

In closing, I am taken by CDR Partridge's email signature line quote: "*Ethics only have meaning when converted to direct, decisive action.*"

Thank you.

With my respect,

Robert Hammond
Robert Hammond

Attachments: As stated.

Copy to:
Office of Government Information Services
Defense Freedom of Information Policy Office
Defense Health Agency Freedom of Information Service Center
Department of the Navy Chief Information Officer
Walter Reed National Military Medical Center Freedom of Information Act Office
Bureau of Medicine and Surgery Freedom of Information Act Office
Department Chief, HIPAA/Privacy Act/FOIA/Civil Liberties Office Walter Reed National Military Medical Center
Director, General Litigation Division (Code 14) Office of the Judge Advocate General, DON
OSD.FOIAPolicy@mail.mil,
DELLA.GARCIA@MED.NAVY.MIL
steven.muck@navy.mil,
HEATHER.PARTRIDGE@MED.NAVY.MIL,
BUMED.FOIA@med.navy.mil,
kirsten.mitchell@nara.gov,
james.p.hogan4.civ@mail.mil,
nikki.gramian@nara.gov,
christopher.a.julka@navy.mil,
ogis@nara.gov,
DONFOIAPublicLiaison@navy.mil,
FOIARequests@tma.osd.mil,
WRNMMC.PAO@health.mil,
Judy.J.Bizzell.civ@health.mil,
robin.patterson@navy.mil,
donfoia-pa@navy.mil
joseph.e.davidge.civ@mail.mil
grant.lattin@navy.

DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5720
Ser DNS-36JP/15U105010
7 Jan 15

Sent via email to: [redacted]

Robert Hammond
[redacted]

Dear Mr. Hammond:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUESTS

This is in reference to a series of Freedom of Information Act (FOIA) requests submitted to Walter Reed National Military Medical Center (WRNMMC) and to the Bureau of Medicine and Surgery (BUMED). You have been in contact with these offices, as well as several offices along their respective chains of command, as well as an attempt to resolve this matter through mediation by the Office of Government Information Services (OGIS).

It is our understanding that your primary concern is the following: you submitted two (or more) FOIA requests to WNRMMC, which were (improperly) closed due to fee considerations. You appealed the response, and the ultimate result was that the fees were waived and your requests were processed*. You are concerned not with the processing of those requests, but with the reporting of the disposition of the requests in the FOIA Annual Report. On this understanding, we are exclusively attempting to address your concern about the accuracy of the Annual Report.

Please be advised that the "raw data" you are seeking with regard to the Annual Report submissions, insofar as it addresses your direct concern, would be maintained solely by WNRMMC. Across DON, Annual Report Data is collected and compiled using DD FORM 2564. A blank copy of a DD FORM 2564 is attached. Please note that this form only tracks aggregate numbers, with no ability to infer the disposition of any specific request.

The above statement is knowingly false. On November 16, 2015 DON JAG released the case tracking log raw statistical data supplied by Judy Bizzell of the WRNMMMC FOIA Office to Dela Garcia of the BUMED FOIA Office to compile the BUMED FY 2012 FOIA Report.

* Factually incorrect.

We contacted BUMED on this matter. BUMED advised that, due to unavoidable personnel management considerations, the BUMED FOIA office has been understaffed, which has delayed response to your multiple inquiries. We apologize for this delay. BUMED further advised that your requests had been directed to WRNMMC and that you were advised of this referral. Additionally, BUMED indicated that their offices have no record of a FOIA Annual Report submission from WRNMMC since Fiscal Year 2009. False

With regard to WRNMMC, please be advised that recent reorganizations and redesignations have made it extremely difficult to determine which offices had administrative control over WRNMMC at which time, and that the specific matter of FOIA authority has been similarly unclear. The FOIA page for the WRNMMC website indicates that WRNMMC FOIA falls under the authority of DON. This is not correct. As of October 1, 2013, WRNMMC FOIA falls under the authority of the Defense Health Agency (DHA). If you have concerns about the service you are receiving from the WRNMMC Requester Service Center, please contact the DHA FOIA Liaison Officer at Defense Freedom of Information Policy Office, ATTN: Ms. Linda S. Thomas, Chief, Freedom of Information Service Center, Defense Health Agency, 7700 Arlington Boulevard, Suite 5101, Falls Church, VA 22042-5101, by phone at (703) 681-7500, or by email at FOIARequests@tma.osd.mil.

As an additional note, it is important to refer to the Department of Justice Office of Information Policy guidance regarding accurate completion of the Annual Report (copy attached). If your request was closed for a fee-related reason, appealed, remanded, and then processed to completion, it would be proper to report both the closure for the fee-related reason as well as the final disposition following remand ("For reporting purposes, a remanded request should be treated as a new request by the agency and the time spent processing the request should be included in the agency's Annual FOIA Report just as is done for all FOIA requests.")

In conclusion, please be advised that DON has no further involvement in this matter - WRNMMC no longer falls under DON for FOIA purposes, and BUMED properly responded to your requests for WRNMMC Annual Report data by referring those requests to WRNMMC. As noted above, if you have concerns about the service you are receiving from the WRNMMC Requester Service Center, please contact the DHA FOIA Liaison Officer.

We apologize for the difficulty you have had in the processing of your requests. Questions regarding this response may be directed to Mr. Joshua Portner at (202) 685-6517 or by email at joshua.portner.ctr@navy.mil.

Sincerely,

ROBIN PATTERSON
Head, DON PA/FOIA Program Office

Copy to:

Office of Government Information Services
Defense Freedom of Information Policy Office
Defense Health Agency Freedom of Information Service Center
Department of the Navy Chief Information Officer
Walter Reed National Military Medical Center Freedom of Information Act Office
Bureau of Medicine and Surgery Freedom of Information Act Office

Attachment N

Portner email of 1.17. 2015

From: joshua.portner.ctr@navy.mil
To:[Requester's .com email redacted.]
Cc: OSD.FOIAPolicy@mail.mil, DELLA.GARCIA@MED.NAVY.MIL, steven.muck@navy.mil, HEATHER.PARTRIDGE@MED.NAVY.MIL, BUMED.FOIA@med.navy.mil, kirsten.mitchell@nara.gov, james.p.ho[Requester's .com email redacted.]gan4.civ@mail.mil, nikki.gramian@nara.gov, christopher.a.julka@navy.mil, ogis@nara.gov, DONFOIAPublicLiaison@navy.mil, FOIARequests@tma.osd.mil, WRNMMC.PAO@health.mil, Judy.J.Bizzell.civ@health.mil, robin.patterson@navy.mil, donfoia-pa@navy.mil
Sent: 1/7/2015 2:24:36 PM Eastern Standard Time
Subject: RE: Your FOIA Requests to BUMED

Sir,

Please find attached a formal letter in response to your concerns. Please feel free to contact me with any further questions or concerns.

V/r,

Joshua Portner
SECNAV/CNO FOIA Requester Service Center (DNS-36)
Contractor Support
(202) 685-6517
joshua.portner.ctr@navy.mil
-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Saturday, January 03, 2015 6:14 AM
To: DONFOIA-PA; Portner, Joshua M CTR OPNAV, DNS-36
Subject: Re: Your FOIA Requests to BUMED

Dear Mr. Portner,

Thank you for your email

Regarding my FOIA request for Walter Reed's FY 2012 Annual FOIA Report submission, it is a fully perfected request. I am simply asking that BUMED provide the responsive documents.

Regarding reporting, BUMED/Navy will have to sort that out. It is my understanding that upon receipt of a request, the Agency is required log the request into an accountable system of record, assign an Agency case tracking number, provide the requestor the case tracking number within ten days if the request will not be satisfied within twenty

days along the web site where status may be tracked and report the request in their annual FOIA report submission. That didn't happen in this case. BUMED/Navy may wish to consider reviewing internal controls and training to prevent inadvertent error going forward.

I appreciate your valuable contribution as a support contractor. Please convey my thanks to the members of your office for your continuing support.

With my respect and appreciation.

Robert Hammond

In a message dated 12/3/2014 10:44:24 A.M. Eastern Standard Time, donfoia-pa@navy.mil writes:

Sir,

Upon review of the case history and coordination with BUMED, we believe that we may be able to address, and hopefully resolve, your concerns regarding the specific requests submitted to BUMED, as well as your larger concern with the FOIA Annual Report. In order to minimize confusion and avoid making this matter any more complicated than it has already become, we are requesting that we discuss this by telephone (with formal correspondence as a follow-up). Please contact me at the telephone number below at your earliest opportunity.

V/r,

Joshua Portner
SECNAV/CNO FOIA Requester Service Center (DNS-36)
Contractor Support
(202) 685-6517
joshua.portner.ctr@navy.mil

Attachment O

DON JAG Appeal Denial of 18 September 2013 Annotated

Enclosure (2)

DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374

IN REPLY REFER TO:
5720
2013Y040150
Ser 14/396
18 Sep 13

Mr. Robert Hammond
[redacted]

Dear Mr. Hammond:

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) APPEAL, 2013Y040150

This responds to your FOIA appeal dated July 20, 2013, received in our office on July 26, 2013; three separate appeals dated July 22, 2013, also received on July 26, 2013; an appeal dated July 27, 2013, received August 19, 2013; and an appeal dated and received August 19, 2013. Your requests for medical records about yourself are being treated as Privacy Act (PA) requests. Your requests for documents that are not PA records are FOIA requests. The requirements of each statute have to be satisfied before the respective documents may be released. [False]

The underlying challenges in your appeals are, in essence, that: you question the adequacy of the search conducted by the Walter Reed National Military Medical Center (WRNMMC) for records concerning your medical care dating from 1997 through 2012; you haven't received all the forms DD 2870 that you provided to WRNMMC; you haven't received the system cut off value for laboratory classification of sodium blood levels; you haven't received archived records (or outpatient records in your latest appeal); you were subjected to procedural obstacles contrary to the FOIA; and you were denied the name of the "1 to 1" sitter assigned to you on December 25, 2011. Your appeals also posed several questions you sought to be answered.

Your appeal is a request for a final determination under the FOIA and the PA. For the following reasons, I must deny your appeal in part, and grant it, in part.

The adequacy of an agency's search for information requested under the FOIA and the PA is determined by a "reasonableness" test. *Merropol v. Messe*, 790 F.2d 942, 956 (D.C. Cir. 1986); *Weisberg v. United States Dep't of Justice*,

705 F.2d 1344, 1350-51 (D.C. Cir. 1983). As a general rule, an agency must undertake a search that is reasonably calculated to locate the requested information. *Kowalczyk v. Department of Justice*, 73 F.3d 386, 388089 (D.C. Cir. 1996). Further, an agency must be able to show "what records were searched, by whom, and through what process." *Steinberg v. Department of Justice*, 23 F.3d 548, 552 (D.C. Cir. 1994). In this case, WRNMMC retrieved Privacy Act records pertaining to you from digital and paper files using your personal identifiers, including your name, date of birth and social security account number. All available records were turned over to you pursuant to the PA. [False]

A review of the search procedures by WRNMMC demonstrated that a search was conducted for records in the locations that were reasonably expected to contain the information you requested (e.g. the patient records section), that the searches were performed by records custodians familiar with the records systems, and that standard records accession procedures were used. For these reasons, I am satisfied about the adequacy of the search performed and that all reasonably available records have been turned over to you, including all forms DD 2870 that were in the government's possession. Specifically regarding these forms, the WRNMMC letter of July 17, 2013 points out that all DD 2870 forms you submitted in the January to April 2012 time frame have already been released to you. It bears pointing out that a DD 2870 is not a proper FOIA or PA request, but rather is a tool intended for a patient to authorize the disclosure of medical information from a military treatment facility to a third party medical provider.

Inasmuch as you seek answers or "affirmations" to questions, your request is denied. The courts have consistently held that while agencies have to search for records responsive to FOIA requests, they are not required to either create documents to respond to requests (*LaRoche v. SEC*, 289 F. App'x 231, 231 (9th Cir. 2008), *Schoenman v. FBI*, 573 F. Supp. 2d 119, 140 (D.D.C. 2008)), nor answer questions posed as FOIA requests (*Zemansky v. EPA*, 767 F.2d 569, 574 (9th Cir. 1985); *DiViaio v. Kelley*, 571 F.2d 538, 542-43 (10th Cir. 1978); *Jean-Pierre v. BOP*, No. 12-78, 2012 WL 30653773065377, at *6 (D.D.C. July 30, 2012)). In your appeal, you ask that a responsible official from WRNMMC affirm all records have been turned over, and that

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no records were archived, or that the official state when records were archived. This part of the appeal is denied as it would require the creation of records that do not exist (the statement that would answer your question), and would answer a question (which is not the purpose of either the FOIA or the PA).

With regards to the archived records, you were provided the address to which you would have to request any archived records. These records are not in the custody of WRNMMC or the Department of the Navy. To obtain those records, please contact

National Personnel Records Center
1 Archives Drive
St. Louis, MO 63138

You requested to know the value stored in the system that produced the laboratory printout of your blood analysis, value that would cause a sample to be flagged as critically low if the sample value fell below that system value. Specifically, you requested to know the value in the system between 23 and 29 December 2011. While there is no system generated printout that satisfies this FOIA request, a search of the policies in place in 2011 returned the attached document. The personal information contained in that record was redacted pursuant to 5 U.S.C. 522(b)(6). To the extent this document was responsive to your request, I am granting this portion of your appeal and releasing this document.

With regards to the identity of the "1 to 1" sitter, it appears from two of your July 22, 2013 letters that you do in fact possess the name of the sitter, making that appeal moot. These two letters are virtually identical; one that has a sentence that reads:

> "It is not clear if the nurse who is the one to one sitter may detach or retire during the time of this appeal, which would render future requests for medical record corrections meaningless. These non-responsive replies and obstacles also impede determination of accountability for questionable medical decisions. They also expose my medical information."

and the other reads:

> "It is not clear if Captain [(b)(6) redaction] may detach or retire during the time of this appeal."

These two sentences were located in the same paragraph, in the same place, in each letter. Naturally, your letter actually contains the name redacted in the quote, but it is apparent from the parallel between the sentences that the named Captain is known to you to be the "1 to 1" sitter. For this reason, as well as the fact that you request an answer to a question, this appeal is denied. [False]

With regards to there being procedural obstacles placed in your way, it is true that the two WRNMMC responses of July 17, 2003 point out that you did not state a willingness to pay fees associated with your requests. However, the same letters waive any fees. In any case, the withholding of the name you sought was not because of a failure to demonstrate a willingness to pay a fee, but rather because the identity and other personnel information of the individual would not be releasable under the exception in 5 U.S.C. 552(b)(6): the privacy interest of the individual listed outweighs any public interest in releasing the individual's name. You have not articulated a public interest in the release of this information. Disclosing the name would not "shed light" on the Department of the Navy's operations or activities. In my opinion, the privacy interest of the individual outweighs the public interest in disclosing this information and this portion of your appeal is denied.

Lastly, you requested that as part of this response, we determine whether WRNMMC is processing requests in the order received. This again is a question to which you demand an answer, and so it is neither the subject of a proper FOIA or PA request or appeal. However, in the interest of clarifying the process, requests are normally processed in the order received in the interest of fairness to all requesters, and this is without regards to the complexity of the requests. However, your methodology of sending many requests in rapid succession, often for the same materials already provided, and then following up with appeal after consecutive appeal not only adds to the workload that FOIA and PA officers have to respond, it requires all the personnel involved in the requests to have to

5720
2013Y040150
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18 Sep 13

cross reference your requests, re-perform the searches anew to ensure no documents were omitted, cross reference again the materials retrieved, and in the case of an appeal, have to perform the same task again for the appeal authority. The latter also must perform the same tasks of cross referencing requests, appeals, responsive materials and responses. Simply put, your methodology is causing substantial delays in the processing of your requests and appeals, and by implication, the requests and appeals of others. This is counter-productive, unduly complicates the task to the point that even you seem to have a hard time keeping requests and appeals straight (as evidenced by your requests for your original requests). I respectfully request that you reconsider your strategy.

As the Secretary of the Navy's designee, I am responsible for this denial of your appeal. This is the department's final response to your pending FOIA requests. The deparment has no provisions for requests for reconsideration of FOIA appeals. Accordingly, you may seek judicial review of this decision.

Should you have further questions or concerns, my point of contact is Major Antonio Contreras, USMC, who may be reached at antonio.contreras@navy.mil or 202-685-5476.

Sincerely,

G. E. LATTIN
Director
General Litigation Division

Enclosure: Critical Values Policy dtd October 2011

Copy to:
WRNMMC
DNS-36

Attachment P

DON JAG Baldini email of 1.18.18

From: emilee.k.baldini@navy.mil
To: [Requester's .com email redacted.]
Sent: 1/8/2018 12:06:16 AM Eastern Standard Time
Subject: FOIA REQUEST DON-NAVY-2018-002828

Mr. Hammond,

Good evening. Please find attached the response to your FOIA request and associated documents. Please let me know if you have any trouble opening the documents. Also, please let me know if you'd like a hard copy of these documents mailed out.

Very respectfully,
LCDR Baldini

_____

LCDR Emilee Kujat Baldini, JAGC, USN
Office of the Judge Advocate General
Administrative Law (Code 13)
Pentagon, Room 4D641
Washington, DC 20350-1000
☎: 703-614-7408

Attachment Q

DON JAG Inch email of December 21, 2017 9.03 AM

From: Inch, Adam E LCDR OJAG, Code 14 [mailto:adam.inch@navy.mil]
Sent: Thursday, December 21, 2017 9:03 AM
To: [Requester's .com email redacted.]
Cc: Yost, Adam B LCDR OJAG, Code 14 <adam.yost@navy.mil>; Winston, Wendy A CIV OJAG, CODE 14 <wendy.winston@navy.mil>
Subject: Adjudication of FOIA Appeal DON-NAVY-2018-002177

Good Morning,

Please find attached OJAG (Code 14) letter dated December 21, 2017 setting for the Adjudication of FOIA Appeal DON-NAVY-2018-002177.

Very Respectfully,

Adam E. Inch
LCDR, JAGC, USN
General Litigation (Code 14)
Office of the Judge Advocate General
Phone: (202) 685-5452
NIPR: adam.inch@navy.mil
SIPR: adam.inch@navy.smil.mil

Attachment R

DON JAG Winston Email of 12.7.2017 10.51.48 AM

From: wendy.winston@navy.mil
To: [Requester's .com email redacted.]
Cc: adam.yost@navy.mil
Sent: 12/7/2017 10:51:48 AM Eastern Standard Time
Subject: Final disposition ICO Mr. Robert Hammond DON-NAVY-2018-001229

Good Morning,

Attached please find the final disposition ICO Mr. Robert Hammond.

Thank you and have a great day!

Very respectfully,

Wendy A. Winston
Office of the Judge Advocate General
General Litigation Division (Code 14)
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374
(202)685-5446

Attachment S

Ellis Email of 8/22/2013 2:18:33 PM with copy to
Anselm, Robert P (CDR); Rovira, Jose B. (CIV); Catterton, Robert E

From: Lisa.Ellis@med.navy.mil
To: [Requester's .com email redacted.]
Sent: 8/22/2013 2:18:33 PM Eastern Standard Time
Subject: RE: Freedom of Information Act Acknowledgment NMCP 13-51

Mr. Hammond,

Can you please give me a good number where you can be reached or give me a call at 757-953-0095.? I would like to discuss your FOIA.

V/R
Lisa G. Ellis
LNC(SW/AW), USN, Retired
Paralegal Specialist
Naval Medical Center Portsmouth
620 John Paul Jones Circle
Portsmouth, VA 23708
Com: 757-953-0095
Fax: 757-953-7517

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Wednesday, July 31, 2013 5:50 PM
To: Ellis, Lisa G. (CIV)
Cc: Anselm, Robert P (CDR); Rovira, Jose B. (CIV); Catterton, Robert E. (CIV); [Requester's .com email redacted.]
Subject: Re: Freedom of Information Act Acknowledgment NMCP 13-51

Ms. Ellis,

Yes, you are correct regarding the clarification. I certainly appreciate the DoD furlough impacts on everyone. Thank you very much for your email.

With my respect,

Robert Hammond
REDACTED

In a message dated 7/31/2013 2:55:22 P.M. Eastern Daylight Time, Lisa.Ellis@med.navy.mil writes:

FOIA Acknowledgment

Mr. Hammond,

Your Freedom of Information Act (FOIA) request of July 29, 2013 in which you seek a copy of:

1) any reports or statistics regarding hospital-acquired hyponatremia at NMCP during the past 5 years and any procedures related to treatment thereof;
2) if maintained, any statistics and reports regarding hospital-acquired hyponatremia caused by or aggravated by hospital administered IV fluids;
3) records describing the Portsmouth Hospital definition of symptomatic acute hyponatremia; and 4) records describing the treatment protocol for syndrome of inappropriate antidiuretic hormone secretion was received in our office July 29, 2013 and assigned Case File Number NMCP 13-51.

To clarify, in number 3 and 4 above, you are asking for NMCP's standard operating procedures that define symptomatic acute hyponatremia and also define the treatment.

Due to DoD Furloughs, our turnaround times might be longer than normal. I will keep you updated as to the status of your request. There are three FOIA requests ahead of this request. We will process your requests as expeditiously as possible.

If you have any questions or concerns, feel free to contact me at 757-953-0095. Thank you.

V/R
Lisa G. Ellis
LNC(SW/AW), USN, Retired

Paralegal Specialist
Naval Medical Center Portsmouth
620 John Paul Jones Circle
Portsmouth, VA 23708
Com: 757-953-0095
Fax: 757-953-7517

"Due to DoD Furloughs - turnaround times might be longer than normal. I am sorry for any inconvenience that this might cause. My new working hours are Monday - Thursday (7:30 - 4:00)"

"FOR OFFICIAL USE ONLY (FOUO) - PRIVACY SENSITIVE."
Any misuse or unauthorized disclosure may result in both civil and criminal penalties".

Attachment T

DON JAG letter of January 3, 2018, E. M. Loser

DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374

IN REPLY REFER TO:
5720
Ser 13/3FA1328.17
January 3, 2018

Mr. Robert Hammond
[redacted]

Dear Mr. Hammond:

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST DON-NAVY-2018-002828

This responds to your above-referenced Freedom of Information Act (FOIA) request in which you seek documentation related to any records retention schedules approved by the National Archives and Records Administration that are specific to the Office of the Judge Advocate General (OJAG), as well as any guidance or correspondence of any kind received from any Department of the Navy entity regarding record retention, from June 1, 2017 to November 25, 2017. Specifically, you seek any guidance or correspondence related to FOIA records or Privacy Act records (including reports and/or raw data).

This response is provided on behalf of OJAG. Your request was processed in accordance with the FOIA (5 U.S.C. § 552), Part 701 of Title 32 of the Code of Federal Regulations, and the Department of the Navy Freedom of Information Act Program (SECNAVINST 5720.42F).

Individuals in the OJAG (Administrative Law Division) (Code 13) who were most knowledgeable about where responsive files would likely be found in this office searched for any responsive records. Shared computer drives and email .pst folders were searched using the search terms "record retention" and "records retention." Fourteen responsive pages were found pursuant to the FOIA. I conducted a releaseability determination on all fourteen pages maintained by OJAG, and I am partially releasing twelve pages.

I am withholding portions of the twelve partially released pages pursuant to FOIA exemption (b)(6). I am withholding two pages in full pursuant to FOIA exemptions (b)(5) and (b)(6). These two pages contain materials protected by the attorney-client and pre-decisional deliberative process privileges. Disclosure of the excised information could stifle future necessary free and frank communications. Portions of these two withheld pages also contain privacy-sensitive information, disclosure of which would

constitute a clearly unwarranted invasion of personal privacy that is not outweighed by the FOIA public interest in disclosure. Additionally, portions of the twelve partially released pages contain privacy-sensitive information, disclosure of which would constitute a clearly unwarranted invasion of personal privacy that is not outweighed by the FOIA public interest in disclosure.

I am the official responsible for the partial denial of your request. An adverse determination may be appealed, in writing, to OJAG (Assistant Judge Advocate General (Civil Law)), 1322 Patterson Avenue, SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Should you wish to appeal this matter, I recommend your envelope and statement bear the notation "FOIA Appeal." Your appeal must be postmarked within 90 days of the date of this letter. No fees were generated by this request.

For any further assistance and to discuss any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison at DONFOIAPublicLiaison@navy.mil. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information of OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions, please contact LCDR Emilee Baldini, JAGC, USN, who may be reached by e-mail at emilee.k.baldini@navy.mil or by phone at 703-614-7408.

Sincerely,

E. M. LOSER
Deputy Assistant Judge Advocate General
(Administrative Law)
Office of the Judge Advocate General

Enclosure: Responsive Documents (12 pages)

Attachment U

DON JAG matthew.roush@navy.mil and griffin.farris@navy.mil DON JAG email thread of 10.18.2013 9.04.34 AM

From: matthew.roush@navy.mil
To: [Requester's .com email redacted.]
Sent: 10/18/2013 9:04:34 AM Eastern Standard Time
Subject: RE: Privacy Act Appeal

Sir,

LT Farris was correct in regards to appealing an original FOIA or Privacy Act request. The time limit for appeal is 60 days.

However, since you have already appealed to our office, there is no further agency mechanism for appeal. If you wish to pursue the matter further, you will need to seek judicial review in federal court.

V/r,
Matt Roush
LT, JAGC, USN
Office of the Judge Advocate General
General Litigation Division (Code 14)

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Friday, October 18, 2013 4:30 AM
To: Roush, Matthew R LT OJAG, Code 14
Cc: [Requester's .com email redacted.]
Subject: Privacy Act Appeal

Dear LT Roush,

I received your letter of August 21,2013 regarding my appeal 2013XO40149. I asked for a determination regarding how long I have to submit an appeal and have only received the incomplete response below. There is no time limit for appeal stated in your letter or in the Walter Reed letter. I want to confirm that there is none and that you will honor my appeal if submitted.

I am attempting to work with Walter Reed National Military Medical Center regarding their reply to me and would like to continue for a while longer. However, I do not want to forfeit my right of appeal. Can you please provide me a reply today.

I greatly appreciate your help. My cell phone number is 703-980-4401, in the event that you need to contact me by phone.

Thank you in advance.

With my respect,

Robert Hammond

REDACTED

From: [Requester's .com email redacted.]
To: griffin.farris@navy.mil
Sent: 9/23/2013 6:33:04 P.M. Eastern Daylight Time
Subj: Re: Voicemail

Good evening, LT Griffin,

Thank you for your prompt reply. I apologize for not being more clear.This was not a FOIA request. It was a request for correction of my medical records under the Privacy Act. LT Roush assisted me in getting a reply from Walter Reed National Military Medical Center (WRNMMC),but that did not result in the correction that I am seeking. I am working with WRNMMC. Their denial letter did not specify a timeframe for appeal, so I suspect that it is different than a FOIA appeal.

I understand that LT Roush is out of the office. I would appreciate any information that you may be able to provide.

Thank you in advance.

With my respect,

Robert Hammond

REDACTED

In a message dated 9/23/2013 2:15:38 P.M. Eastern Daylight Time, griffin.farris@navy.mil writes:

Sir, thank you for your voicemail this morning.

In response to your question about time limits for FOIA appeals, under 32 CFR 701.12, requesters "shall be advised to file an appeal so that it is postmarked no later than 60 calendar days after the date of the initial denial letter. If no appeal is received, or if the appeal is postmarked after the conclusion of the 60 day period, the case may be considered closed. However, exceptions may be considered on a case-by-case basis."

V/r

Griffin T. Farris
LT, JAGC, USN
Office of the Judge Advocate General
General Litigation Division (Code 14)
1322 Patterson Avenue, SE, STE 3000
Washington Navy Yard, DC 20374
TEL: (202) 685-5447
DSN: 325-5447
FAX: (202) 685-5472

Attachment V

DON JAG zachary.dembo@navy.mil email of 7.13.2015 2.21.06 PM
Seeking Lattin Personnel Records

From: zachary.dembo@navy.mil To:
[Requester's .com email redacted.]
Sent: 7/13/2015 2:21:06 PM Eastern Standard Time
Subject: RE: DON-NAVY-2015-001584

Good afternoon Mr. Hammond,

As discussed, here is Code 14's response to your request. Please let me know if you have any questions or issues.

Very respectfully,

Zach

Zach Dembo
LT, JAGC, USN
Office of the Judge Advocate General
General Litigation Division (Code 14)
1322 Patterson Avenue, SE, STE 3000
Washington Navy Yard, DC 20374
TEL: (202)685-4596
DSN: 325-4596
FAX: (202) 685-5472

-----Original Message-----
From: Dembo, Zachary D LT OJAG, Code 14
Sent: Monday, July 13, 2015 9:52 AM
To: [Requester's .com email redacted.]
Cc: Lattin, Grant E CIV OJAG, CODE 14; Julka, Christopher A CIV DON, CIO; Muck, Steve CIV SECNAV, DON CIO; Loughman, Kevin ; Patterson, Robin L CIV OPNAV, DNS-36; soto.alaric@mail.mil; DONFOIA-PA; Manley, Crystal D CTR OPNAV, DNS-36; Winston, Wendy A CIV OJAG, CODE 14
Subject: RE: DON-NAVY-2015-001584

Good morning Mr. Hammond,

Other than your request for Mr. Lattin's performance standards, which we provided to you last week, your email is the first this office has known about your request for additional personnel information about Mr. Lattin. Because this office has records that are responsive to your request, we will be glad to provide you ALL of this information by COB tomorrow. Accordingly, this office will act as the initial denial authority for the information you are requesting. You are correct that it would be improper for Mr. Lattin to act as FOIA appellate authority for documents related to him. Accordingly, the FOIA appellate authority will be the Assistant Judge Advocate General (AJAG) for Civil Law,

Mr. Lattin's immediate superior, and another person within the Dept of Navy who has authority to adjudicate FOIA appeals. He only does so when Mr. Lattin is disqualified.

Point of clarification: Mr. Lattin is not the head of DON JAG. He is the Director of the General Litigation Division (Code 14), an office within the Office of the Judge Advocate General. The General Counsel, the JAG and the AJAG (Civil Law) have been delegated authority by the Secretary of the Navy to adjudicate FOIA appeals for the Dept of the Navy. That authority has been properly subdelegated by the JAG to Mr. Lattin.

By copy of this email, I am informing other DON offices that this office will act as IDA for your request dated December 5, 2014 (DON-NAVY-2015-001584).

Very respectfully,

Zach

Zach Dembo
LT, JAGC, USN
Office of the Judge Advocate General
General Litigation Division (Code 14)
1322 Patterson Avenue, SE, STE 3000
Washington Navy Yard, DC 20374
TEL: (202)685-4596
DSN: 325-4596
FAX: (202) 685-5472

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Saturday, July 11, 2015 8:28 AM
To: Dembo, Zachary D LT OJAG, Code 14; Lattin, Grant E CIV OJAG, CODE 14
Cc: Julka, Christopher A CIV DON, CIO; Muck, Steve CIV SECNAV, DON CIO; Loughman, Kevin ; Patterson, Robin L CIV OPNAV, DNS-36; soto.alaric@mail.mil; DONFOIA-PA; Manley, Crystal D CTR OPNAV, DNS-36; Winston, Wendy A CIV OJAG, CODE 14
Subject: Fwd: DON-NAVY-2015-001584

Good morning, Mr. Lattin and Lt Dembo,

Are you able to assist in completing this aged FOIA request submitted on December 5, 2014?

For DON FOIA, please keep this request in an open status until it is completed and report it's disposition properly in your FY 2015 Annual FOIA report submission once it is completed. The accuracy of FOIA reporting is important and this simple request is now

several months old.

Please provide responsive documents by return email in PDF format.

Thank you,

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: [Requester's .com email redacted.] christopher.a.julka@navy.mil, steven.muck@navy.mil CC: KEVIN.LOUGHMAN@FE.NAVY.MIL, robin.patterson@navy.mil, soto.alaric@mail.mil, donfoia-pa@navy.mil, crystal.manley.ctr@navy.mil
Sent: 6/15/2015 6:54:49 A.M. Eastern Daylight Time
Subj: Re: DON-NAVY-2015-001584

Dear Ms. Patterson and DON FOIA PA,.

Please accept this as both a notice of non-compliance with the FOIA and governing regulations and policies. Due to issues on your end, my online account was temporarily inactive. Upon restoration this morning, I note that this FOIA request was closed on March 11, 2015 with the note "not an agency record"; however, I was not sent a final decision letter advising me of this decision and my rights to appeal. This is not in line with the FOIA. Please provide me a final decision letter soonest. Please note that DON JAG, which is headed by Mr. Lattin, may not act as the appellate authority for a proper FOIA request involving his own personnel records. Please provide the next higher appellate authority.

Please preserve all responsive or potentially responsive records and records of searches conducted and and any future searches that you conduct. in your FOIA case file until the statutory date for judicial review has passed (should that be necessary) or in accordance with a NARA approved records schedule, if longer.

My FOIA request seeks records as shown below:

For the government official identified as G. E. LATTIN, I am seeking the following information as permitted by reference (b):

DoD 5400.1I-R, May 14,200, C4.2.2.S.1. DoD Civilian Employees:

C4.2.2.5.1.1.1. Name.

C4.2.2.5.1.1.2. Present title.

C4.2.2.5.1.1.3. Present grade.

C4.2.2.5.1.1.4. Present annual salary rate.

C4.2.2.5.1.1.5. Present duty station.

C4.2.2.5.1.1.6. Office and duty telephone number.

C4.2.2.5.1.1.7. Current Position Description.

Numerous agencies have provided such records; they are agency records. To suggest for example that a federal employee does not have a position description or any of the records cited in my FOIA request is ludicrous. Please see one example for the Defense Health Agency FOIA Officer released under the FOIA. There is public interest in positions of persons responsible for FOIA processes and in the duties described in the position descriptions. Due to the substantial delay in processing my request, please EXPEDITE your final decision letter. Please also ensure that my FOIA request is properly included with all processing time accounted for in the DON FY 2015 Annual FOIA Report Submission via your chain of command to the Attorney General and in turn to Congress.

Thank you.

With my respect,

Robert Hammond

In a message dated 3/6/2015 6:24:54 A.M. Eastern Daylight Time, [Requester's .com email redacted.]writes:

Dear Mr Julka,,

I have not received a reply to this FOIA request, which continues to age. Moreover, FOIA online continues to improperly show this case as closed and records of communication have not been updated to include this email thread. Please ensure that all correspondence is retained in the FOIA case file and posted to FOIAonline.

As noted on FOIA online, this is a simple request, which other agencies were able to promptly satisfy within the statutory time for reply.

I will greatly appreciate your help and support in this matter.

With my respect,

Robert Hammond

In a message dated 2/22/2015 10:08:56 P.M. Eastern Standard Time, [Requester's .com email redacted.] writes:

Good evening, Mr. Julka.

Thank you very much for the prompt reply.

In the email thread below, you will see that DON FOIA assigned this case to DON JAG personnel office and then closed the case. I have yet to receive any acknowledgement of receiving the request from Mr. Soto or any reply.

I believe that the request should not be closed in FOIAonline until a response is received, since DON JAG is an element within Navy and Navy must track the request through completion. This is not a referral to another Government Agency. It is my understanding from various references that the FOIAonline database is used to produce the Annual FOIA Report and serve as the repository for all case documents. Moreover, I would expect to be able to track the case via FOIAonline.

I will greatly appreciate your help in this matter.

Thank you again.

With my respect,

Robert Hammond

In a message dated 2/22/2015 11:39:34 A.M. Eastern Standard Time, christopher.a.julka@navy.mil writes:

Mr. Hammond,

My records indicate that the above-captioned case was closed on December 12. Is that incorrect?

Christopher Julka

Public Liaison
Department of the Navy
Christopher.a.julka@navy.mil

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Sunday, February 22, 2015 7:14 AM
To: Julka, Christopher A CIV DON, CIO; Muck, Steve CIV SECNAV, DON CIO
Cc: Loughman, Kevin ; Patterson, Robin L CIV OPNAV, DNS-36; soto.alaric@mail.mil; DONFOIA-PA; Manley, Crystal D CTR OPNAV, DNS-36; [Requester's .com email redacted.]

Subject: Re: DON-NAVY-2015-001584

Dear Mr. Julka and Mr. Muck,

I am following up on my FIOA Request below submitted to DON FOIA via FOIAonline on December 5, 2014.

Please provide a prompt reply to my request.

Please keep this request open in FOIAonline for FOIA reporting and record it as an open request until a responsive reply is received.

Please retain a copy of this correspondence in the FOIA case file within FOIAonline under the tab "Correspondence with Requester", as is required.

Please provide me the email address, physical address and phone number for the FOIA appellate authority above DON JAG. DON JAG cannot act as it's own appellate authority for a request submitted to them.

Thank you.

With my respect,

Robert Hammond

In a message dated 2/15/2015 7:34:05 A.M. Eastern Standard Time, [Requester's .com email redacted.] writes:
Dear Mr. Julka,

I am requesting your assistance as the DON Public Liaison in obtaining a responsive reply to the attached FOIA request and in ensuring that it remains open in the Navy Online FOIA Case Tracking System until a responsive reply is received.

Please ensure that a copy of this request is retained in the Navy Online FOIA Case Tracking System.

Thank you in advance.

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: soto.alaric@mail.mil, donfoia-pa@navy.mil
CC: Kevin.Loughman@fe.navy.mil, robin.patterson@navy.mil
Sent: 2/1/2015 7:05:40 A.M. Eastern Standard Time
Subj: Re: DON-NAVY-2015-001584

Dear Mr.Soto,

Please see below and attached. This request has exceeded the statutory time for reply. Please provide your reply by PDF via return email, with a copy to DON FOIA, so that they may properly close this request and so that there can be no disagreement about what was provided or when it was provided.

For DON FOIA, please keep this request open until you have received the reply. Failing to do so understates DON FOIA processing times for the Annual FOIA Report and is not in line with the FOIA or governing regulations and policies.

Thank you

With my respect,

Robert Hammond

In a message dated 1/15/2015 5:34:11 A.M. Eastern Standard Time, [Requester's .com email redacted.] writes:

From: [Requester's .com email redacted.]
To: donfoia-pa@navy.mil
Sent: 1/15/2015 5:34:11 A.M. Eastern Standard Time
Subj: Re: DON-NAVY-2015-001584

Dear Sir,

Thank you for your reply. Do you have an email address for Mr Soto? I have received no acknowledgement of my request and it is quite old.

I also have a couple of questions on how this works. Can you please tell me how Navy tracks the response? I assumed that I could get the Agency case tracking number, status and results from your web.

Wouldn't it be better for your web show the request as referred or pending vice closed, and then post the result on the web?

With my respect,

Robert Hammond

In a message dated 1/14/2015 2:14:01 P.M. Eastern Standard Time, donfoia-pa@navy.mil writes:

Dear Mr. Hammond:

We apologize for the confusion and ideally that your request would have remain open on FOIAonline. However, the OJAG Office that your request was sent to is not able to use FOIAonline at this time. Your request was closed at our office level and then manually sent to the Deputy Assistant Judge Advocate (OJAG), Civilian Personnel Management Services Division (Code 66), 1332 Patterson Avenue, Suite 300, Washington Navy Yard, DC 23074-5066. If you still have not received any information in reference to your Freedom of Information Act (FOIA) request please contact Mr. Alaric Soto, the Director of OJAG (Code 66) at (202) 685-5286 for further assistant.

Sincerely,
DONFOIA-PA SPECIALIST
Department of Navy
P: (202) 685-0412
F: (202) 685-6577

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Friday, January 09, 2015 5:55 AM
To: DONFOIA-PA

Subject: Re: DON-NAVY-2015-001584

Dear Sir,

I am confused. The Website shows this request as closed. I have not received a reply. The request was referred to DON JAG, which is an element within the Navy, so I would expect to see the request as open until a reply is provided and added to the Website.

With my respect,

Robert Hammond

From: DONFOIA-PA@navy.mil
To: [Requester's .com email redacted.]
Sent: 12/11/2014 7:52:45 A.M. Eastern Standard Time
Subj: DON-NAVY-2015-001584

12/11/2014 07:48 AM
FOIA Request: DON-NAVY-2015-001584

Dear Mr. Hammond:

Please review the attached letter in response to your FOIA request.

Sincerely,

DONFOIA-PA SPECIALIST

Department of Navy

P: (202) 685-0412

F: (202) 685-6577

Robert Hammond
REDACTED

[Requester's .com email redacted.]

December 5, 2015

Department of Navy
PA/FOIA Policy Branch N09B30
2000 Navy Pentagon
Washington, DC 20350-2000

Subject: FOIA Request – Personnel Record Information for G. E. LATTIN

Director, General Litigation Division, Office of the Judge Advocate General, 1322 Patterson Avenue SE Suite 3000 Washington Navy Yard, DC 20374

Requester Control Number: FOIA JAG 15-A

References: (a) Joint publication of U.S. Department of Justice, Executive Office of the President and U.S. General Services Administration of July 2011, “Your Right to Federal Records”

(b) DoD 5400.11-R, May 14, 2007, Department of Defense Privacy Program

(c) DoD 5400.7-R, September 1998, DoD Freedom of Information Act (FOIA) Program

(d) DoD 6025.18-R, Jan. 24, 2003, DoD Health Information Privacy Regulation

I under submitting this request under the Freedom of Information Act, U.S.C. subsection 522. If you deny all or any part of this request, please cite each specific exemption you think justifies your refusal to release the information and notify me of appeal procedures available under the law.

For the government official identified as G. E. LATTIN, I am seeking the following information as permitted by reference (b):

DoD 5400.1l-R, May 14,200, C4.2.2.S.1. DoD Civilian Employees:

C4.2.2.5.1.1.1. Name.

C4.2.2.5.1.1.2. Present title.

C4.2.2.5.1.1.3. Present grade.

C4.2.2.5.1.1.4. Present annual salary rate.

C4.2.2.5.1.1.5. Present duty station.

C4.2.2.5.1.1.6. Office and duty telephone number.

C4.2.2.5.1.1.7. Current Position Description.

I agree to pay fees for searching or copying the records up to $200. If the fees exceed this amount please advise me of the cost. I am a private citizen seeking this information. I do not believe that there should be any charge for providing these records.

Please cite the requester control number and include a copy of this request in your reply. This request is an agency record in its own right and providing a copy of this request is an integral part of my FOIA request, which helps to ensure that you fully address my request. Do not reply to more than one requestor control number in a single letter.

Reference (a) states that for requests 'that will require more than ten days for the agency to process to FOIA requires agencies to assign a tracking number to your request. Each agency must provide a telephone number or website by which a requester can use the assigned tracking number to obtain information about the status of a pending request." DoD 5400.11-R, May 14, 2007, paragraph C3.1.1O. states: "Time Limits. "DoD Components normally shall provide access within 20 working days after receipt of the request. If access cannot be given within the 20 working day period, the requester shall be notified in an interim response." Please provide me a tracking number for this request.

Reference (c) states, "DoD personnel are expected to comply with the FOIA, this Regulation, and DoD FOIA policy in both letter and spirit. This strict adherence is necessary to provide uniformity in the implementation of the DoD FOIA Program and to create conditions that will promote public trust."

I believe that I have adequately described the records that I am seeking. If you believe that my request is unclear, if you have any questions, or if there is anything else that you need from me to complete this request in a timely manner, please contact me in writing, so that I may perfect my request.

With my respect,

Robert Hammond

Attachment W

DON JAG paul.richelmi@navy.mil email of 12.20.2015 3.25.28 P.M

In a message dated 12/20/2015 3:25:28 P.M. Eastern Standard Time, paul.richelmi@navy.mil writes:

Mr. Hammond,

Unfortunately, I do not handle FOIA appeals. I've forwarded your email to LT Zach Dembo at Code 14.

Sincerely,
LT Richelmi

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Thursday, December 17, 2015 2:39 PM
To: Richelmi, Paul A LT OJAG, CODE 13
Subject: [Non-DoD Source] Re: FOIA Fee Waiver Disposition Reached for DON-NAVY-2016-000207

Mr. Richelmi,

This is an appeal, not a FOIA request. There is no charge for processing appeals. Please reconsider your response below.

Please also ensure that this matter is being processed as an appeal. Please reply soonest.

Thank you.

With my respect,

Robert Hammod.

In a message dated 12/17/2015 1:30:59 P.M. Eastern Standard Time, paul.richelmi@navy.mil writes:

Your request for Fee Waiver for the FOIA request DON-NAVY-2016-000207 has

been denied. Additional details for this request are as follows:

* Request Created on: 10/09/2015
* Request Long Description: This is an APPEAL of FOIA Request – Records of Appeal of WRNMMC Failure to Correct Medical Records Leung and Afryie Requester Personal Reference number: FOIA DON 15-J DON Assigned Case Number DON-NAVY-2015-008546 DON JAG has not loaded reply to foiaoline, so I cannot submit my appeal directly. The subject FOIA request relates to a Privacy Act appeal of Walter Reed National Military Medical Center failure to correct or amend my medical records in a timely manner. In his reply to this FOIA request, DON JAG has released clearly unrelated records and is now relying on this release to contend that all records related to other FOIA for records of my FY 2013 FOIA Appeals in reference (g) were released. See. DON-NAVY-2015-009025, which seeks "All records of any kind and in any format associated with my fiscal year 2013 FOIA appeals as identified in Enclosures (1) and (2). Responsive records include, but are not limited to: all notes, emails, facsimiles, records of communications with WRNMMC, status, action officer name, Microsoft Word files, conclusions reached regarding basis for denial, correspondence routing/coordination sheets and correspondence to requester (Hammond). " DON JAG Inappropriately Released Partial Records for Other FOIA Requests; Now Denying Those Requests. The contention that all records related to my FOIA request with your tracking number DON-NAVY-2015-009025 are contained records for this unrelated request is not factual. This appears to be an attempt to confuse matters for appeal and potential judicial review. DON JAG has released some, but not all records related my FY 2013 and FY 2014 FOIA Appeals. To the extent that DON JAG has provided these additional records and is relying on them, I am addressing them in a limited way in this appeal. Basis for Appeal. See attachment. You must also contact DON JAG regarding the records released. DO NOT UPLOAD ANY MEDICAL RECORDS or other PII from the DON JAG reply onto the WEB.

Attachment X

NMLC Sharon.f.leathery.civ@mail.mil
Email of 1.24.2018 10.43.06 AM

From: sharon.f.leathery.civ@mail.mil
To: [Requester's .com email redacted.]
Sent: 1/24/2018 10:43:06 AM Eastern Standard Time
Subject: FOIA Request DON-NAVY-2018-002494

Mr. Hammond,

Attached you will find a transmittal letter and enclosure responsive to the partial fulfillment of the subject FOIA request. I would appreciate it if you could acknowledge receipt of these materials. You will receive a separate response from our Initial Denial Authority (IDA) office regarding the additional materials requested.

Respectfully,

Sharon Leathery
Contract Specialist / FOIA Officer
Naval Medical Logistics Command
693 Neiman Street
Ft. Detrick, MD 21702

Attachment Y

Hammond Email. FY 2017 Inaccurate CIO Report to DOJ
+ Attachments

Bob Hammond

From: Bob Hammond <perseverance2013@aol.com>
Sent: Monday, February 19, 2018 7:20 AM
To: [redacted]
Cc: [redacted]
Subject: Inaccurate FY 2017 DOD CIO Report to DOJ

Dear Mr. Tillotson,

I want to advise you of a significant error in the "Department of Defense Chief Freedom of Information Act Officer Report to the Department of Justice for 2017." At page 24, paragraph 5.4, "Status of ten Oldest Requests, Appeals, and Consolations," it states, "DCAA, DeCA, DFAS, DHA, DLA, DoDEA, DTIC and OSD/JS, closed their entire ten oldest."

That cannot be true with respect to DHA. I believe your staff has been given inaccurate information.

For nearly five years I have been providing irrefutable documentation regarding scores of still open, aged appeals, requests and consultations involving both DHA and its subordinate element, Walter Reed. In fact, ten, still unreported FY 2015 appeals and some Walter Reed FY 2015 FOIA requests are currently being reviewed by your staff together with DOJ. Similarly, Walter Reed still has an open FY 2015 consultation from USPS, which contradicts DHA's claim to the contrary.

The number of aged, still open requests, appeals and consultations dating back to 2013 is staggering.

This is similar to the inaccurate statement in the "Department of Defense Chief Freedom of Information Act Officer Report for 2013" at page nine, which states:

> "The Navy underwent an in-house audit of the FOIA organization at naval activities, and a GAO audit of its overall program. These reviews enabled the Navy to establish a plan for improvement. In fiscal year 2011, the Navy reported a 70% increase in its backlog. In fiscal year 2012, the Navy successfully decreased its backlog by 28%". The Report is available at http://www.dod.mil/pubs/foi/dfoipo/docs/2013_ACFO_Report_FINAL_REPORT.pdft

There was no improvement plan. I contend that part of the Navy improvement then was due to inaccurate reporting. Navy may have since corrected many of the reporting deficiencies.

I am hoping that DOD will submit an accurate Annual FY 2017 FOIA Report to DOJ and to Congress.

It is my desire to resolve issues at the lowest level, within DOD, that achieves a timely and correct result. Results matter a great deal to me.

With my deep respect,

Robert Hammond

Copy to: None.

Bob Hammond

From: [Requester's .com email redacted.]
Sent: Monday, July 16, 2018 7:12 PM
To: [Requester's .com email redacted.]
Subject: FW: PART 1. GOT CAUGHT? Re: DHA FOIA Compliance-Aged DHA Administrative Appe...
Attachments: OGISLtrMay3,2017.pdf

From: [Requester's .com email redacted.]
Sent: Wednesday, June 14, 2017 5:08 AM
To: dha.walter.reed.foia.pa@gmail.com
Subject: Fwd: PART 1. GOT CAUGHT? Re: DHA FOIA Compliance-Aged DHA Administrative Appe...

From: [Requester's .com email redacted.]
To: Linda.Thomas@dha.mil, paul.t.crygarowicz.mil@mail.mil, joseph.e.davidge.civ@mail.mil, judy.j.bizzell.civ@mail.mil, dha.ncr.dgc-fc.list.ogc-foia-appeals-owners@mail.mill
CC: Redacted raquel.c.bono.mil@mail.mil, david.a.lane@med.navy.mil, colin.g.chin.mil@mail.mil, Jeffrye.b.clark4.mil@mail.mil, michael.s.heimall@mail.mil
Sent: 6/11/2017 10:32:48 A.M. Eastern Daylight Time
Subj: PART 1. GOT CAUGHT? Re: DHA FOIA Compliance-Aged DHA Administrative Appeals

PART 1. GOT CAUGHT?

Dear Ms. Thomas.

Will DHA now be reporting All ten of these expedited 2014 administrative appeals as open in your amended FOIA reports?

Surely these were all among those that you reported to ODCMO on March 23, 2017.

I don't see the block on the Annual FOIA Report for requests/appeals that thematically linked and received by DHA's appeals unit within days of one another (Who writes this stuff? Seriously … Who?)

How will this match up with Walter Reed's FOIA Report?

Can you please clarify the process for amending official source Processing Log records after the Reports have been submitted? Does this happen often?

Thank you.

With my respect,

Robert Hammond

In a message dated 2/17/2017 4:54:11 P.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Dear Ms. Thompson,

Regarding the integrity of the Walter Reed and Defense Health Agency (DHA) FOIA and HI(PAA/Privacy Act processes and the accuracy of reporting via reporting chains to the United States Attorney General and United States Congress respectively, perhaps it is not the questions that are difficult. Perhaps it is the answers.

Some may have known for many years that Walter Reed and DHA may have been cooking the books - potentially submitting inaccurate and incomplete FOIA and Privacy Act reports. There are many issues. I have related concerns regarding certified mail processing.

Regarding this specific issue of the ten aged administrative appeals below, please see the DoD FY 2015 FOIA Annual Report, which shows only five administrative appeals pending at the end of FY 2015, not necessarily five of the ten below (http://open.defense.gov/Portals/23/Documents/DoDFY2015AnnualFOIA_Report.pdf).

One might ask (for example) why DHA would not act on administrative appeals of FOIA Requests seeking the Performance Standards (not evaluation ratings) of the Walter Reed Privacy Officer and the Walter Reed FOIA Officer, given that DHA has released the standards for the DHA FOIA Officer and given that other entities within DoD have properly and promptly released such records (see attached). One might also ask why Walter Reed would deny a FOIA Request seeking the records that the Walter Reed Privacy Officer relied upon in denying a HIPAA/Privacy Act record amendment request by inaccurately stating that the health care professional (Ms. Leung) was no longer assigned to Walter Reed when in fact records released by the Army Human Resources Command show that she was still assigned. Why would DHA not act on the administrative appeal?

With respect to FOIA actions that still may be resolved within DoD, FOIA prescribes that:

> "Whenever the court orders the production of any agency records improperly withheld from the complainant and assesses against the United States reasonable attorney fees and other litigation costs, and the court additionally issues a written finding that the circumstances surrounding the withholding raise questions whether agency personnel acted arbitrarily or capriciously with respect to the withholding, the Special Counsel shall promptly initiate a proceeding to determine whether disciplinary action is warranted against the officer or employee who was primarily responsible for the withholding. The Special Counsel, after investigation and consideration of the evidence submitted, shall submit his findings and recommendations to the administrative authority of the agency concerned and shall send copies of the findings and recommendations to the officer or employee or his representative. The administrative authority shall take the corrective action that the Special Counsel recommends." 5 U.S.C. § 552(a)(4)(F)(i).

In my view, DoD senior leadership, including Vice Admiral Bono and Mr. Tollerton, have been poorly served by senior Walter Reed and DHA legal and FOIA/HIPAA/Privacy Act staff members. In my view, it is time for Walter Reed, DHA and others interacting with them to do the right, lawful and inevitable thing by making administrative adjustments to the next FOIA and Privacy Act reports to pick up prior omissions and correct processing times and then by timely acting on open FOIA/HIPAA/Privacy Act matters. Such proactive action now may preserve scarce DoD litigation funds and may be a factor in assessing who may have the privilege of retaining a security clearance.

Wouldn't it be better to properly act on and report FOIA/HIPAA/Privacy Act matters at the appropriate level rather than waiting for Privacy Act complaints and/or other actions, some of which may ultimately be outside of DoD?

This correspondence is being forwarded to some potentially interested parties within DoD and may be forwarded to others later, so you may receive additional inquiries from them.

With my respect,

Robert Hammond

==========

In a message dated 1/10/2017 4:09:07 P.M. Eastern Standard Time, perseverance2013@aol.com writes:

> Dear Ms Thomas,
>
> Please address each specific question as a matter of FOIA compliance; no generalizations. This clearly falls under your personal responsibility as the DHA FOIA Liaison Officer. What do your performance standards say about this? Critical elements? 2+ years to address expedited appeals? Governing laws regulations and policies are very specific.
>
> Per DHA web site:
> ==========
> "Freedom of Information Act (FOIA)
>
> The Defense Health Agency (DHA) Freedom of Information Service Center has principal authority to ensure Health Affairs (HA), DHA, and its components are in full compliance with the FOIA.
>
> ## Liaison Officer
>
> If you are concerned about service received from the HA/DHA FOIA Service Center, please contact the FOIA Liaison Officer at:
>
> Defense Freedom of Information Policy Office
> ATTN: Ms. Linda S. Thomas
> Chief, Freedom of Information Service Center
> Defense Health Agency
> 7700 Arlington Boulevard, Suite 5101
> Falls Church, VA 22042-5101
> Phone: 1-703-275-6363"
>
> ==========
>
> Thank you,
>
> With my respect.
>
> Robert Hammond
>
> In a message dated 1/10/2017 2:30:07 P.M. Eastern Standard Time, linda.s.thomas47.civ@mail.mil writes:
>
> > Thank you for your inquiry. Appeals questions need to go to our appeals Officer, Paul Cygnarowicz.
> >
> > We properly report items on our annual FOIA Report. Our data goes to DoD FOIA and is then combined with the data of other components before being transmitted to DOJ.
> >
> > You have given us over 1000 pages of material to address impacting to some degree our ability to respond as promptly as we would like in every case.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-275-6363

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Please comment on our service at: VoiceoftheCustomer@dha.mil

-----Original Message-----

From:[Requester's .com email redacted.]

Sent: Monday, January 09, 2017 6:58 PM
To: Thomas, Linda S CIV DHA PCL (US)
Cc: DHA NCR DGC FC List OGC FOIA Appeals Owners; OGCFOIAAppeals@tma.osd.mil; paul.t.crygarowicz.mil@mail.mil; foiarequests@tma.osd.mil; jewel.p.christmas.civ@health.mil; Christmas, Jewel P CIV DHA HEALTH IT DIR (US); Brown, Nadine R CIV DHA PCL (US); DHA NCR PCL Mailbox FOIA Requests
Subject: [Non-DoD Source] DHA FOIA Compliance - Aged DHA Administrative Appeals

Dear Ms. Thomas,

I am seeking that this be addressed as a matter of FOIA compliance, which I see is a responsibility of your office.

I am asking that you please address the questions below in writing - email is appropriate. Please note that with the exception of the first appeal (Leung) the requests and appeals were submitted seeking expedited processing due to eminent loss of due process rights. Please also note that as to the remaining FOIA requests and appeals for personal records and performance standards, DHA released records of its own FOIA Officer pursuant to nearly identical requests

Please address all of the following specific questions:

1. Does DHA acknowledge receiving the Appeals on the dates indicated and if not please explain?

2. Is DHA reporting these appeals as open on the DHA Annual FOIA Report submission to the Attorney General of the United States via reporting chain and if not why not?

3. Has DHA processed other appeals that were received after the appeals below and if so, why?

4. Why has DHA not issued final determinations on these administrative appeals.?

I am seeking confirmation that DHA received the Administrative Appeals on the date indicated and confirmation that DHA is reporting these administrative appeals as open

on DHA's Annual FOIA Report Submissions.

Please note that DHA and you personally have not responded to my past follow up requests. Pls see attached two examples.

Again, please address this as a FOIA compliance matter.

Thank you,

With my respect,

Robert Hammond

In a message dated 1/9/2017 12:27:35 P.M. Eastern Standard Time, linda.s.thomas47.civ@mail.mil writes:

I have received your email and will reply after inquiry.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-275-6363
Mobile: 571-286-9517
Linda.S.Thomas47.Civ@mail.mil

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-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Saturday, December 31, 2016 9:51 AM
To: Thomas, Linda S CIV DHA PCL (US)
Cc: [Requester's .com email redacted.]
Subject: [Non-DoD Source] Aged DHA Administrative Appeals

Dear Ms. Thomas,

As the DHA FOIA Liaison, I am seeking action from you in obtaining the status of these aged administrative appeals shown below and in the attached file of email follow-ups on these appeals. I have received no acknowledgement or reply to these appeals.

FOIA requires federal agencies to make a final determination on FOIA administrative appeals that it receives within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of such appeal, unless the agency expressly provides notice to the requester of "unusual circumstances" meriting additional time for responding to a FO IA request. 5 U.S.C. § 552(a)(6)(A)(ii).

Please provide your reply by email.In the event that you send any correspondence to me by any other means, please send it by a traceable means only.

Please promptly acknowledge this email.

Thank you,

With my respect,

Robert Hammond

My Personal
Requester CTRL # Title/Subject Appeal
Date
WRNMC #13- 29 LEUNG, ANGELA N 2LT 6087 Unavailability 5/16/2015
WRNMC #14-B Personnel Record Information for
Cornell.J.Floyd.civ@health.mil 11/8/2014
WRNMC #14-C Personnel Record Information for
Judy.J.Bizzell.civ@health.mil 11/8/2014
WRNMC #14-D Personnel Record Information for
Barbara.I.Moidel.civ@health.mil 11/8/2014
WRNMC #14-E Personnel Record Information for
Judy.A.Logeman.civ@health.mil 11/8/2014
WRNMC #14-F Personnel Record Information for
Joe.E.Davidge.civ@health.mil 11/10/2014
WRNMC #14-G Personnel Record Information for
Brice.A.Goodwin.mil@health.mil 11/10/2014
WRNMC #14-H Contract Information for
Thurman.S.McCall.ctr@health.mil 11/7/2014
WRNMC #14-K Performance Standards of Ms. Judy Bizzell 11/10/2014
WRNMC #14-L Performance Standards of Mr. Joe. E. Davidge 11/10/2014

Thank you,

With my respect

Robert Hammond

Bob Hammond

From: [Requester's .com email redacted.]
Sent: Monday, July 16, 2018 7:24 PM
To: [Requester's .com email redacted.]
Subject: FW: PART II. INTENT? - Fwd: Request for Assistance - FOIA Compliance; OGIS 20...

From: [Requester's .com email redacted.] **Sent:** Wednesday, June 14, 2017 5:09 AM
To: [Requester's .com email redacted.]
Subject: Fwd: PART II. INTENT? - Fwd: Request for Assistance - FOIA Compliance;OGIS 20...

From: [Requester's .com email redacted.]
To: Linda.Thomas@dha.mil, paul.t.crygarowicz.mil@mail.mil, joseph.e.davidge.civ@mail.mil, judy.j.bizzell.civ@mail.mil, dha.ncr.dgc-fc.list.ogc-foia-appeals-owners@mail.mil
CC: REDACTED. raquel.c.bono.mil@mail.mil, david.a.lane@med.navy.mil, colin.g.chin.mil@mail.mil, Jeffrye.b.clark4.mil@mail.mil, michael.s.heimall@mail.mil
Sent: 6/11/2017 10:37:35 A.M. Eastern Daylight Time
Subj: PART II. INTENT? - Fwd: Request for Assistance - FOIA Compliance;OGIS 201300673

PART II. INTENT?

From: linda.s.thomas47.civ@mail.mil
To: [Requester's .com email redacted.]
CC: nadine.r.brown4.civ@mail.mil, foiarequests@tma.osd.mil, REDACTED paul.t.cygnarowicz.civ@mail.mil, rahwa.a.keleta.civ@mail.mil, doritha.n.ross.ctr@mail.mil, osd.mc-alex.odcmo.mbx.dod-foia-policy-office@mail.mil, REDACTED paul.t.cygnarowicz.civ@mail.mil
Sent: 5/19/2015 8:49:28 A.M. Eastern Daylight Time
Subj: RE: Request for Assistance - FOIA Compliance;OGIS 201300673

We are giving you the relief which you seek -- which is to process the FOIA requests for Logerman information first and others in due course. Thank you for your comments.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-681-7500
Mobile: 571-286-9517
Linda.S.Thomas47.civ@mail.mil

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-----Original Message-----
From: [Requester's .com email redacted.]

Sent: Monday, May 18, 2015 5:16 PM
To: Thomas, Linda S CIV DHA CMD GRP (US)
Cc: Brown, Nadine R CIV (US); foiarequests@tma.osd.mil; Cygnarowicz, Paul T CIV (US); Keleta, Rahwa A CIV DHA CMD GRP (US); Ross, Doritha N CTR DHA ADMIN MD (US);, REDACTED Subject: Re: Request for Assistance - FOIA Compliance;OGIS 201300673

Dear Ms. Thomas,

Was this appeal below logged into your system? Are you asserting that DHA did not receive it?

There is no indication that DHA did not receive my appeals and I am skeptical of that inference as a reason for why my aged appeals have not been processed. Please refer to my appeal below, which includes Lieutenant Colonel Cygnarowicz as an addressee on this and other appeals. Several appeals were submitted on the same day. In addition, I am not aware of any change in your fax number. I received no notice of rejected emails from my appeal submissions or from any of the emails in the thread below. Please coordinate with Lieutenant Colonel Cygnarowicz and the members of your staff and provide a listing of the appeals from me that you do have pending.

I want to ensure that DHA is complying with the FOIA, processing FOIA requests and appeals properly and reporting them properly in your Annual FOIA Report submissions. It is unfortunate that it is taking this level of involvement by others. As previously discussed, I am attempting to follow the chain of command and resolve this and matters at your level or lower.

Will DHA be issuing a final determination letter on this and other appeals?

Is DHA processing appeals in the order in which they are received?

Thank you.

With my respect,

Robert Hammond

In a message dated 5/18/2015 2:54:50 P.M. Eastern Daylight Time, linda.s.thomas47.civ@mail.mil writes:

Thank you for your comments. Would you please send all appeals again? We had a change in our email system, and believe that some communications were lost in the process. Thank you.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-681-7500
Mobile: 571-286-9517
Linda.S.Thomas47.Civ@mail.mil

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-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Monday, May 18, 2015 2:51 PM
To: Thomas, Linda S CIV DHA CMD GRP (US)
Cc: Brown, Nadine R CIV (US); foiarequests@tma.osd.mil; ogis@nara.gov; REDACTED; Cygnarowicz, Paul T CIV (US); Keleta, Rahwa A CIV DHA CMD GRP (US); Ross, Doritha N CTR DHA ADMIN MD (US); OSD MC-ALEX ODCMO Mailbox DoD FOIA DOJ.OIP.FOIA@usdoj.gov; REDACTED
Subject: Re: Request for Assistance - FOIA Compliance;OGIS 201300673

Ms. Thomas,

By the action that you are taking, you will be knowingly submitting a false Annual FOIA Report to leadership, the Attorney General of the United States and in turn to the United States Congress. You will be understating the number of improper denials for Walter Reed National Military Medical Center (WRNMMC), the number of appeal sustained as well as the FOIA and appeals processing times. I call your attention to GAO Report GAO-12-828 of July 2012, subject Freedom of Information Act.

There is no question that WRNMMC improperly denied my requests (and others) citing the FOIA Exemption (b)(6).

There is no question that I submitted my appeal properly via the instructions on your web site and that DHA received my appeal.

There is no question that you personally knew of this aged appeal and others. This appeal.and other appeals are more than six months old. The FOIA request and others are now more than 13 months old.

You cannot ignore the WRNMMC improper denial of my FOIA request and pretend that it didn't happen. You must issue a final determination letter on my appeal - as required by the FOIA - and remand the request back to WRNMMC. You must record my appeal on the date that it was submitted to DHA and properly report it's disposition on your Annual FOIA Report.

My other appeals to DHA are unanswered and aging. I will address my FOIA requests to DHA via the ongoing separate email thread for that compliance issue.

For OGIS, I am asking that OGIS keep this request open pending receipt of a proper final determination letter and a response to the question of whether DHA is processing appeals in the order in which they are received. My request to your office was for assistance in obtaining a final determination from Defense Health Agency (DHA).This is a matter that impacts the integrity of the FOIA process and the accuracy of reporting. This is a FOIA compliance matter. I greatly appreciate the help that you are providing.

Thank you.

With my respect,

Robert Hammond

In a message dated 5/18/2015 10:16:51 A.M. Eastern Daylight Time, linda.s.thomas47.civ@mail.mil writes:

We are responding to your FOIA on Logerman first since that is the one that you mentioned. I take it you are formally requesting a reopening of the similar other ones; we will take those up in due course. Since we are going to respond under the FOIA, your appeals on those are moot at this point.

You wrote in separate emails that you are dissatisfied with a lack of correction of your medical record relating to other requests or complaints. Please be advised that this is not the purview of either the FOIA Office or the HIPAA complaint office but is in the hands of the medical offices. Thank you.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-681-7500
Mobile: 571-286-9517
Linda.S.Thomas47.Civ@mail.mil

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-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Thursday, May 14, 2015 5:51 PM
To: Thomas, Linda S CIV DHA CMD GRP (US)
Cc: Brown, Nadine R CIV (US); foiarequests@tma.osd.mil; [Requester's .com email redacted.]
ogis@nara.gov; REDACTED
Subject: Re: Request for Assistance - FOIA Compliance;OGIS 201300673

Good evening, Ms. Thomas.

Per an email from Ms. Bennett and a conversation with her this afternoon, it is my understanding that DHA has recorded this appeal in your tracking system for the DHA Annual FOIA Report submission with an effective date of November 8, 2014 and that I will shortly be receiving a letter sustaining my appeal and remanding my request back to WRNMMC to release the responsive records. Please confirm that this is correct.

Similarly, there are several identical appeals for FOIA requests pertaining to personnel records of WRNMMC personnel submitted on the same day that I would expect DHA will be treating in the same manner. Please also note that there are yet other aged appeals submitted to DHA that have not been acted upon.

Can you please confirm whether or not DHA is recording these appeals for FOIA reporting on the day received and acting on appeals in the order in which they are received.

Thank you.

With my respect,

Robert Hammond

In a message dated 5/9/2015 5:42:31 A.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Dear Ms Bennett,

I note that the OGIS mission includes responsibility for FOIA compliance. I am concerned that DHA is not only not meeting the appeal time standard, but that DHA my not be processing appeals in the order in which they are received. Please determine if DHA has processed any other appeals after mine was received and render a compliance determination.

Thank you.

With my respect,

Robert Hammond

In a message dated 4/29/2015 8:47:38 P.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Dear OGIS Representative,

I am requesting your assistance in obtaining a final determination from Defense Health Agency (DHA) on the appeal discussed below. The appeal was submitted to DHA on November 8, 2014 for my FOIA request of April 26, 2014 to their subordinate command, Walter Reed National Military Medical Center (WRNMMC). My FOIA request to WRNMMC is now more than a year old and my

appeal to DHA is nearly six months old.

Other commands, including DHA, have released records in response to FOIA requests to them seeking the same information relative to their commands. To demonstrate that DHA considers such records releasable, I am attaching the records released by DHA for my FOIA request to them seeking the same personnel records for their FOIA Officer, along with the records that DHA released. Moreover, the Privacy Act stipulates that these records are releasable. There can be no question that records sought from WRNMMC are fully releasable.

I am also concerned that DHA may not be responding to FOIA appeals and FOIA requests in the order in which they are received. There are other appeals pending.

Thank you.

With my respect,

Robert Hammond

In a message dated 4/24/2015 9:36:10 A.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Good morning, Ms. Thomas.

I am following up once again on the appeal addressed below. This appeal and others are now nearly five months old. My FOIA request submitted on April 26, 2014 is now a year old.

This is simple request and appeal. DHA promptly released complete, fully responsive records in response to a FOIA request for the same personnel records for your FOIA Officer, Ms. Brown. WRNMMC's assertion that these records may be denied under FOIA Exemption (b)(6) is clearly improper.

Thank you in advance.

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: linda.s.thomas47.civ@mail.mil
CC: nadine.r.brown4.civ@mail.mil, perseverance2013@aol.com
Sent: 4/3/2015 5:43:40 A.M. Eastern Daylight Time
Subj: Request for Assistance - FOIA Compliance

Good morning, Ms. Thomas.

I am writing to request your assistance regarding a matter of FOIA compliance. As you know the prescribed time for responding to FOIA appeals is twenty working days. The appeal attached and below submitted to DHA on November 8, 2014 for my FOIA request of April 26, 2014 is quite old.

I am asking that DHA sustain my appeal for this and similar FOIA requests and remand them back to WRNMMC to release the records. As you may be aware, DHA promptly released records in response to a FOIA request for the same personnel records for Ms. Brown. WRNMMC's assertion that these records may be denied under FOIA Exemption (b)(6) is clearly improper.

A reply by WRNMMC in advance of your final determination will not render this appeal moot. In my view, WRNMMC must not continue to improperly assert the FOIA (b)(6) Exemption of privacy for withholding records in anticipation that an appellate authority will sustain their improper denials.

I am hopeful that this and similar matters may be promptly resolved at the WRNMMC or DHA level. I will greatly appreciate your help and support in this important matter.

Thank you in advance.

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: ogcfoiaappeals@tma.osd.mil, paul.t.crygarowicz.mil@mail.mil
Sent: 3/24/2015 8:25:23 A.M. Eastern Daylight Time
Subj: Fwd: Appeal of My FOIA #14-E - Judy A. Logeman CORRECTED COPY

Good morning, Lieutenant Colonel Paul T. Cygnarowicz.

I am following up on this appeal,which is now quire old. As you are aware, DoD 5400.7-R, September 1998 states that:

C5.3.3.2. Final determinations on appeals normally shall be made within 20 working days after receipt.

I would also add that multiple DOD entities were able to provide fully responsive replies to identical requests well within the statutory time for reply. This is not a complex request or a complex appeal.

In addition, there are separate FOIA appeals pending in your office.

Thank you in advance.

With my respect,

Robert Hammond

_____

From: [Requester's .com email redacted.]
To: ogcfoiaappeals@tma.osd.mil, paul.t.crygarowicz.mil@mail.mil
CC: [Requester's .com email redacted.]
Sent: 11/8/2014 12:12:26 P.M. Eastern Daylight Time
Subj: Re: Appeal of My FOIA #14-E - Judy A. Logeman CORRECTED COPY

... WITH ATTACHMENT

In a message dated 11/8/2014 11:07:30 A.M. Eastern Standard Time, perseverance2013@aol.com writes:

Robert Hammond
REDACTED

[Requester's .com email redacted.]

November 8, 2014

Office of General Counsel

National Capital Region Medical Directorate

Attention: Lieutenant Colonel Paul T. Cygnarowicz

Defense Health Agency

8901 Wisconsin Avenue (Building 27)

Bethesda, MD 20889

Phone: (703) 681-6012, FAX 301-319-8900

E-mail: OGCFOIAAppeals@tma.osd.mil <mailto:OGCFOIAAppeals@tma.osd.mil>

Subject: Appeal of My FOIA Request – Personnel Record Information for Judy A. Logeman

Judy.A.Logeman.civ@health.mil <mailto:Judy.A.Logeman.civ@health.mil> CORRECTED COPY

My Personal Reference Number: FOIA WRNMC #14-E

WRNNMC Assigned Agency FOIA Case Number 14-34

References: (a) The Freedom of Information Act (FOIA)

(b) The Privacy Act

(c) CFR 164.526

(d) DoD 5700.7-R, September 1998, DoD Freedom of Information Act (FOIA) Program

(e) DoD 6025.18-R, Jan. 24, 2003, DoD Health Information Privacy Regulation

(e) Joint publication of U.S. Department of Justice, Executive Office of the President and U.S. General Services Administration of July 2011: "Your Right to Federal Records" (see http://publications.usa.gov/USAPubs.php?PubID=6080 <http://publications.usa.gov/USAPubs.php?PubID=6080>)

(g) DoD 5400.11-R, May 14, 2007, Department of Defense Privacy Program

(h) Department of Justice Freedom of Information Act Guide, May 2004 at Exemption 6 http://www.justice.gov/oip/foia-guide-2004-edition-exemption-6 <http://www.justice.gov/oip/foia-guide-2004-edition-exemption-6>

Dear Lieutenant Colonel Cygnarowicz,

This appeal is submitted under the references above for my FOIA request dated April 26, 2014 at Enclosure (1), which asks for records of personnel information explicitly authorized for release under reference (g), DoD 5400.11-R, May 14, 2007, Department of Defense Privacy Program. Enclosure (1) also contains my request for expedited processing. The Agency's reply (forwarded by email at 9/23/2014 3:00:35 P.M. Eastern Daylight Time) is at Enclosure (2). The Agency's interim reply of 11 July 2014 is at Enclosure (3). The Agency is improperly denying my request in full, inappropriately citing the FOIA Exemption (b)(6) and asserting that release would constitute a clearly unwarranted invasion of personal privacy under 5 U.S.C. 552(b)(6). There is no personal privacy interest in the information sought. This denial is capricious, arbitrary and a misuse of the privacy exemption.

Information Requested via FOIA. For the person identified by the email address above, I am seeking the following information, as explicitly authorized for release by reference (b):

DoD 5400.11-R, May 14, 2007, Department of Defense Privacy Program

C4.2.2.5.1. DoD Civilian Employees:

C4.2.2.5.1.1.1. Name.

C4.2.2.5.1.1.2. Present position titles.

C4.2.2.5.1.1.3. Present grade.

C4.2.2.5.1.1.4. Present annual salary rate.

C4.2.2.5.1.1.5. Present duty stations.

C4.2.2.5.1.1.6. Office and duty telephone number.

C4.2.2.5.1.1.7. Current Position Description.

Discussion.

· [intervening text not shown]

· Release of Segregable Portions.

o I contend that every item sought under my FOIA request is fully releasable without redaction in accordance with reference (g). Notwithstanding that, the Agency is making the... assertion that (for example) the salary of a federal employee is exempt under 5 U.S.C. 552(b)(6). The Agency must justify each item being withheld.

o The FOIA requires that any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this subsection. The amount of information deleted shall be indicated on the released portion of the record, unless including that indication would harm an interest protected by the exemption in this subsection under which the deletion is made. If technically feasible, the amount of the information deleted shall be indicated at the place in the record where such deletion is made.

o Further, when a requested document contains some information which falls under one of the exemptions, the FOIA requires that all non-exempt portions of the record must still be released. The Act expressly mandates that any "reasonably segregable portion" of a record must be disclosed to a requester after the redaction (the deletion of part of a document to prevent disclosure of material covered by an exemption) of the parts which are exempt. 5 U.S.C. § 552(b). This is a very important aspect of FOIA because it prohibits an agency from withholding an entire document merely because one line, one page or one picture are exempt.

· Strong Presumption in Favor of Disclosure.

o "In the Act generally, and particularly under Exemption (6), there is a strong presumption in favor of disclosure." Local 598 v. Department of Army Corps of Engineers, 841 F.2d 1459, 1463 (9th. Cir. 1988) (emphasis added). In that case, the Ninth Circuit reviewed the context of applicable Exemption 6 case law:

- The Freedom of Information Act embodies a strong policy of disclosure and places a duty to disclose on federal agencies. As the district court recognized, 'disclosure, not secrecy, is the dominant objective of the Act.' Department of the Air Force v. Rose, 425 U.S. 352, 361, 96 S.Ct. 1592, 1599, 48 L.Ed.2d 11 (1976). 'As a final and overriding guideline courts should always keep in mind the basic policy of the FOIA to encourage the maximum feasible public access to government information....' Nationwide Bldg. Maintenance, Inc. v. Sampson, 559 F.2d 704, 715 (D.C.Cir.1977). As a consequence, the listed exemptions to the normal disclosure rule are to be

construed narrowly. See Rose, 425 U.S. at 361, 96 S.Ct. at 1599. This is particularly true of Exemption (6). Exemption (6) protects only against disclosure which amounts to a 'clearly unwarranted invasion of personal privacy.' That strong language 'instructs us to 'tilt the balance [of disclosure interests against privacy interests] in favor of disclosure.'"

- Id. (emphasis added), citing Washington Post Co. v. Department of Health and Human Servs., 690 F.2d 252, 261 (D.C.Cir.1982) (quoting Ditlow v. Shultz, 517 F.2d 166, 169 (D.C. Cir.1975)).

· Public Interest. The public is entitled to information, such as the grade, salary, etc. of federal employees whose salaries are paid from tax dollars. This is public information. Though I do not believe that it is necessary to assert a public interest to be balanced with privacy interest, because the information sought is otherwise fully releasable under the Privacy Act, there is a public interest in assuring that the Privacy Act is being properly administrated at Walter Reed National Military Medical Center [remaining text omitted]

Basis for Appeal.

I am appealing that the Agency:

(1) has improperly denied my request under 5 U.S.C. 552(b)(6);

(2) (notwithstanding the improper denial above) has not provided all reasonably segregable portions of documents, nor properly justified and accounted for any redactions.

Further, I am appealing that WRNMMC HIPAA/Privacy Act/FOIA/Civil Liberties Office did not:

(3) provide a tracking number for this request within ten days of receipt of my original request as required by the FOIA and various regulations and policies;

(4) provide a reply within the statutory and regulatory twenty-day time period or provide an interim reply within 20 days as required by the FOIA and various regulations.

Appellate Authority Action Requested. I am asking that:

(1) each element of the basis of my appeal be addressed separately;

(2) each element of my appeal be sustained;

(3) my FOIA request be remanded back to the Agency for direct reply to me; and,

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Some Additional References.

· Reference (e) states that for requests 'that will require more than ten days for the agency to process, the FOIA requires agencies to assign a tracking number to your request. Each agency must provide a telephone number or website by which a requester can use the assigned tracking number to obtain information about the status of a pending request."

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This appeal is separate and distinct from any other appeals that I may file and may not be combined with any other appeal. I am not agreeing to combining separate appeals, as this would be improper, potentially distorting FOIA reporting to Congress and impeding separate judicial review (if that becomes necessary). If you deny all or any part of this appeal, please cite each specific exemption you think justifies your determination and notify me of further remedies available under the law.

I will greatly appreciate your thoughtful consideration of my request. Please contact me if you have any questions regarding this request. Thank you in advance.

With my respect,

Robert Hammond

Enclosures: As stated.

Ia message dated 4/3/2015 5:43:40 A.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Bob Hammond

From: [Requester's .com email redacted.]
Sent: Monday, July 16, 2018 7:27 PM
To: perseverance2013@aol.com
Subject: FW: PART III. INTENT?? - Fwd: Request for Assistance-FOIA Compliance; OGIS 20...

From: [Requester's .com email redacted.]
Sent: Wednesday, June 14, 2017 5:09 AM
To: [Requester's .com email redacted.]
Subject: Fwd: PART III. INTENT?? - Fwd: Request for Assistance-FOIA Compliance;OGIS 20...

From: [Requester's .com email redacted.]

To: Linda.Thomas@dha.mil, paul.t.crygarowicz.mil@mail.mil, joseph.e.davidge.civ@mail.mil, judy.j.bizzell.civ@mail.mil, dha.ncr.dgc-fc.list.ogc-foia-appeals-owners@mail.mil
CC: raquel.c.bono.mil@mail.mil, david.a.lane@med.navy.mil, colin.g.chin.mil@mail.mil, Jeffrye.b.clark4.mil@mail.mil, michael.s.heimall@mail.mil
Sent: 6/11/2017 10:38:48 A.M. Eastern Daylight Time
Subj: PART III. INTENT?? - Fwd: Request for Assistance-FOIA Compliance;OGIS 201300673

PART III. INTENT??

From: linda.s.thomas47.civ@mail.mil
To:[Requester's .com email redacted.]
CC: nadine.r.brown4.civ@mail.mil, foiarequests@tma.osd.mil, ogis@nara.gov, REDACTED
paul.t.cygnarowicz.civ@mail.mil, rahwa.a.keleta.civ@mail.mil, doritha.n.ross.ctr@mail.mil, REDACTED,
DOJ.OIP.FOIA@usdoj.gov, michael.l.rhodes32.civ@mail.mil, kirsten.mitchell@nara.gov, REDACTED
Sent: 5/18/2015 2:54:50 P.M. Eastern Daylight Time
Subj: RE: Request for Assistance - FOIA Compliance;OGIS 201300673

Thank you for your comments. Would you please send all appeals again? We had a change in our email system, and believe that some communications were lost in the process. Thank you.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-681-7500
Mobile: 571-286-9517
Linda.S.Thomas47.Civ@mail.mil

"Quality and Service Above All"
Please comment on our service at VoiceoftheCustomer@dha.mil

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Monday, May 18, 2015 2:51 PM
To: Thomas, Linda S CIV DHA CMD GRP (US)
Cc: Brown, Nadine R CIV (US); foiarequests@tma.osd.mil; ogis@nara.gov; REDACTED; Cygnarowicz,

Paul T CIV (US); Keleta, Rahwa A CIV DHA CMD GRP (US); [Requester's .com email redacted.] Ross, Doritha N CTR DHA ADMIN MD (US); REDACTED

Subject: Re: Request for Assistance - FOIA Compliance;OGIS 201300673

Ms. Thomas,

By the action that you are taking, you will be knowingly submitting a false Annual FOIA Report to leadership, the Attorney General of the United States and in turn to the United States Congress. You will be understating the number of improper denials for Walter Reed National Military Medical Center (WRNMMC), the number of appeal sustained as well as the FOIA and appeals processing times. I call your attention to GAO Report GAO-12-828 of July 2012, subject Freedom of Information Act.

There is no question that WRNMMC improperly denied my requests (and others) citing the FOIA Exemption (b)(6).

There is no question that I submitted my appeal properly via the instructions on your web site and that DHA received my appeal.

There is no question that you personally knew of this aged appeal and others. This appeal.and other appeals are more than six months old. The FOIA request and others are now more than 13 months old.

You cannot ignore the WRNMMC improper denial of my FOIA request and pretend that it didn't happen. You must issue a final determination letter on my appeal - as required by the FOIA - and remand the request back to WRNMMC. You must record my appeal on the date that it was submitted to DHA and properly report it's disposition on your Annual FOIA Report.

My other appeals to DHA are unanswered and aging. I will address my FOIA requests to DHA via the ongoing separate email thread for that compliance issue.

For OGIS, I am asking that OGIS keep this request open pending receipt of a proper final determination letter and a response to the question of whether DHA is processing appeals in the order in which they are received. My request to your office was for assistance in obtaining a final determination from Defense Health Agency (DHA).This is a matter that impacts the integrity of the FOIA process and the accuracy of reporting. This is a FOIA compliance matter. I greatly appreciate the help that you are providing.

Thank you.

With my respect,

Robert Hammond

In a message dated 5/18/2015 10:16:51 A.M. Eastern Daylight Time, linda.s.thomas47.civ@mail.mil writes:

We are responding to your FOIA on Logerman first since that is the one that you mentioned. I take it you are formally requesting a reopening of the similar other ones; we will take those up in due course. Since we are going to respond under the FOIA, your appeals on those are moot at this point.

You wrote in separate emails that you are dissatisfied with a lack of correction of your medical record relating to other requests or complaints. Please be advised that this is not the purview of either the FOIA Office or the HIPAA complaint office but is in the hands of the medical offices. Thank you.

Linda S. Thomas, JD, CIPP/G, PMP, CISSP
Chief, DHA Privacy and Civil Liberties Office
Office: 703-681-7500
Mobile: 571-286-9517

Linda.S.Thomas47.Civ@mail.mil

"Quality and Service Above All"
Please comment on our service at VoiceoftheCustomer@dha.mil

-----Original Message-----
From: [Requester's .com email redacted.]
Sent: Thursday, May 14, 2015 5:51 PM
To: Thomas, Linda S CIV DHA CMD GRP (US)
Cc: Brown, Nadine R CIV (US); foiarequests@tma.osd.mil; [Requester's .com email redacted.]; ogis@nara.gov; REDACTED
Subject: Re: Request for Assistance - FOIA Compliance;OGIS 201300673

Good evening, Ms. Thomas.

Per an email from Ms. REDACTED and a conversation with her this afternoon, it is my understanding that DHA has recorded this appeal in your tracking system for the DHA Annual FOIA Report submission with an effective date of November 8, 2014 and that I will shortly be receiving a letter sustaining my appeal and remanding my request back to WRNMMC to release the responsive records. Please confirm that this is correct.

Similarly, there are several identical appeals for FOIA requests pertaining to personnel records of WRNMMC personnel submitted on the same day that I would expect DHA will be treating in the same manner. Please also note that there are yet other aged appeals submitted to DHA that have not been acted upon.

Can you please confirm whether or not DHA is recording these appeals for FOIA reporting on the day received and acting on appeals in the order in which they are received.

Thank you.

With my respect,

Robert Hammond

In a message dated 5/9/2015 5:42:31 A.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Dear Ms Bennett,

I note that the OGIS mission includes responsibility for FOIA compliance. I am concerned that DHA is not only not meeting the appeal time standard, but that DHA my not be processing appeals in the order in which they are received. Please determine if DHA has processed any other appeals after mine was received and render a compliance determination.

Thank you.

With my respect,

Robert Hammond

In a message dated 4/29/2015 8:47:38 P.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Dear OGIS Representative,

I am requesting your assistance in obtaining a final determination from Defense Health Agency (DHA) on the appeal discussed below. The appeal was submitted to DHA on November 8, 2014 for my FOIA request of April 26, 2014 to their subordinate command, Walter Reed National Military Medical Center (WRNMMC). My FOIA request to WRNMMC is now more than a year old and my appeal to DHA is nearly six months old.

Other commands, including DHA, have released records in response to FOIA requests to them seeking the same information relative to their commands. To demonstrate that DHA considers such records releasable, I am attaching the records released by DHA for my FOIA request to them seeking the same personnel records for their FOIA Officer, along with the records that DHA released. Moreover, the Privacy Act stipulates that these records are releasable. There can be no question that records sought from WRNMMC are fully releasable.

I am also concerned that DHA may not be responding to FOIA appeals and FOIA requests in the order in which they are received. There are other appeals pending.

Thank you.

With my respect,

Robert Hammond

In a message dated 4/24/2015 9:36:10 A.M. Eastern Daylight Time, [Requester's .com email redacted.] writes:

Good morning, Ms. Thomas.

I am following up once again on the appeal addressed below. This appeal and others are now nearly five months old. My FOIA request submitted on April 26, 2014 is now a year old.

This is simple request and appeal. DHA promptly released complete, fully responsive records in response to a FOIA request for the same personnel records for your FOIA Officer, Ms. Brown. WRNMMC's assertion that these records may be denied under FOIA Exemption (b)(6) is clearly improper.

Thank you in advance.

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: linda.s.thomas47.civ@mail.mil
CC: nadine.r.brown4.civ@mail.mil, perseverance2013@aol.com
Sent: 4/3/2015 5:43:40 A.M. Eastern Daylight Time
Subj: Request for Assistance - FOIA Compliance

Good morning, Ms. Thomas.

I am writing to request your assistance regarding a matter of FOIA compliance. As you know the prescribed time for responding to FOIA appeals is twenty working days. The appeal attached and below submitted to DHA on November 8, 2014 for my FOIA request of April 26, 2014 is quite old.

I am asking that DHA sustain my appeal for this and similar FOIA requests and remand them back to WRNMMC to release the records. As you may be aware, DHA promptly released records in response to a FOIA request for the same personnel records for Ms. Brown. WRNMMC's assertion that these records may be denied under FOIA Exemption (b)(6) is clearly improper.

A reply by WRNMMC in advance of your final determination will not render this appeal moot. In my view, WRNMMC must not continue to improperly assert the FOIA (b)(6) Exemption of privacy for withholding records in anticipation that an appellate authority will sustain their improper denials.

I am hopeful that this and similar matters may be promptly resolved at the WRNMMC or DHA level. I will greatly appreciate your help and support in this important matter.

Thank you in advance.

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: ogcfoiaappeals@tma.osd.mil, paul.t.crygarowicz.mil@mail.mil
Sent: 3/24/2015 8:25:23 A.M. Eastern Daylight Time
Subj: Fwd: Appeal of My FOIA #14-E - Judy A. Logeman CORRECTED COPY

Good morning, Lieutenant Colonel Paul T. Cygnarowicz.

I am following up on this appeal,which is now quite old. As you are aware, DoD 5400.7-R, September 1998 states that:

C5.3.3.2. Final determinations on appeals normally shall be made within 20 working days after receipt.

I would also add that multiple DOD entities were able to provide fully responsive replies to identical requests well within the statutory time for reply. This is not a complex request or a complex appeal.

In addition, there are separate FOIA appeals pending in your office.

Thank you in advance.

With my respect,

Robert Hammond

From: [Requester's .com email redacted.]
To: ogcfoiaappeals@tma.osd.mil, paul.t.crygarowicz.mil@mail.mil
CC: [Requester's .com email redacted.]
Sent: 11/8/2014 12:12:26 P.M. Eastern Daylight Time
Subj: Re: Appeal of My FOIA #14-E - Judy A. Logeman CORRECTED COPY

... WITH ATTACHMENT

In a message dated 11/8/2014 11:07:30 A.M. Eastern Standard Time, [Requester's .com email redacted.] writes:

Robert Hammond
[Requester's Address redacted.]

[Requester's .com email redacted.]

November 8, 2014

Office of General Counsel

National Capital Region Medical Directorate

Attention: Lieutenant Colonel Paul T. Cygnarowicz

Defense Health Agency

8901 Wisconsin Avenue (Building 27)

Bethesda, MD 20889

Phone: (703) 681-6012, FAX 301-319-8900

E-mail: OGCFOIAAppeals@tma.osd.mil <mailto:OGCFOIAAppeals@tma.osd.mil>

Subject: Appeal of My FOIA Request – Personnel Record Information for Judy A. Logeman

Judy.A.Logeman.civ@health.mil
<mailto:Judy.A.Logeman.civ@health.mil> CORRECTED COPY

My Personal Reference Number: FOIA WRNMC #14-E

WRNNMC Assigned Agency FOIA Case Number 14-34

References: (a) The Freedom of Information Act (FOIA)

(b) The Privacy Act

(c) CFR 164.526

(d) DoD 5700.7-R, September 1998, DoD Freedom of Information Act (FOIA) Program

(e) DoD 6025.18-R, Jan. 24, 2003, DoD Health Information Privacy Regulation

(e) Joint publication of U.S. Department of Justice, Executive Office of the President and U.S. General Services Administration of July 2011: "Your Right to Federal Records" (see http://publications.usa.gov/USAPubs.php?PubID=6080 <http://publications.usa.gov/USAPubs.php?PubID=6080>)

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Dear Lieutenant Colonel Cygnarowicz,

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C4.2.2.5.1. DoD Civilian Employees:

C4.2.2.5.1.1.1. Name.

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C4.2.2.5.1.1.6. Office and duty telephone number.

C4.2.2.5.1.1.7. Current Position Description.

Discussion.

· [intervening text not shown]

· Release of Segregable Portions.

o I contend that every item sought under my FOIA request is fully releasable without redaction in accordance with reference (g). Notwithstanding that, the Agency is making the... assertion that (for example) the salary of a federal employee is exempt under 5 U.S.C. 552(b)(6). The Agency must justify each item being withheld.

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- The Freedom of Information Act embodies a strong policy of disclosure and

places a duty to disclose on federal agencies. As the district court recognized, 'disclosure, not secrecy, is the dominant objective of the Act.' Department of the Air Force v. Rose, 425 U.S. 352, 361, 96 S.Ct. 1592, 1599, 48 L.Ed.2d 11 (1976). 'As a final and overriding guideline courts should always keep in mind the basic policy of the FOIA to encourage the maximum feasible public access to government information....' Nationwide Bldg. Maintenance, Inc. v. Sampson, 559 F.2d 704, 715 (D.C.Cir.1977). As a consequence, the listed exemptions to the normal disclosure rule are to be construed narrowly. See Rose, 425 U.S. at 361, 96 S.Ct. at 1599. This is particularly true of Exemption (6). Exemption (6) protects only against disclosure which amounts to a 'clearly unwarranted invasion of personal privacy.' That strong language 'instructs us to 'tilt the balance [of disclosure interests against privacy interests] in favor of disclosure.'"

- Id. (emphasis added), citing Washington Post Co. v. Department of Health and Human Servs., 690 F.2d 252, 261 (D.C.Cir.1982) (quoting Ditlow v. Shultz, 517 F.2d 166, 169 (D.C. Cir.1975)).

· Public Interest. The public is entitled to information, such as the grade, salary, etc. of federal employees whose salaries are paid from tax dollars. This is public information. Though I do not believe that it is necessary to assert a public interest to be balanced with privacy interest, because the information sought is otherwise fully releasable under the Privacy Act, there is a public interest in assuring that the Privacy Act is being properly administrated at Walter Reed National Military Medical Center [remaining text omitted]

Basis for Appeal.

I am appealing that the Agency:

(1) has improperly denied my request under 5 U.S.C. 552(b)(6);

(2) (notwithstanding the improper denial above) has not provided all reasonably segregable portions of documents, nor properly justified and accounted for any redactions.

Further, I am appealing that WRNMMC HIPAA/Privacy Act/FOIA/Civil Liberties Office did not:

(3) provide a tracking number for this request within ten days of receipt of my original request as required by the FOIA and various regulations and policies;

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Appellate Authority Action Requested. I am asking that:

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Some Additional References.

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This appeal is separate and distinct from any other appeals that I may file and may not be combined with any other appeal. I am not agreeing to combining separate appeals, as this would be improper, potentially distorting FOIA reporting to Congress and impeding separate judicial review (if that becomes necessary). If you deny all or any part of this appeal, please cite each specific exemption you think justifies your determination and notify me of further remedies available under the law.

I will greatly appreciate your thoughtful consideration of my request. Please contact me if you have any questions regarding this request. Thank you in advance.

With my respect,

Robert Hammond

Robert Hammond

Enclosures: As stated.

In message dated 4/3/2015 5:43:40 A.M. Eastern Daylight Time, [Requester's Address redacted.] writes:

Attachment Z

Hammond Email of September 7, 2017
FOIA Non-Compliance by Walter Reed

Bob Hammond

From: perseverance2013@aol.com
Sent: Thursday, September 7, 2017 7:06 AM
To: [redacted]
Cc: [redacted] linda.s.thomas47.civ@mail.mil; joseph.e.davidge.civ@mail.mil; michael.s.heimall@mail.mil; mark.a.kobelja@mail.mil; [redacted] robert.luciano[redacted] cindy.l.allard.civ@mail.mil; david.a.lane[redacted] Jeffrye.b.clark[redacted]; voiceofthecustomer@dha.mil; judy.j.bizzell.civ@mail.mil
Subject: Re: FOIA Non-Compliance by Walter Reed (requests submitted 6...

Dear Mr. Tillotson,

Unfortunately, I have not received any reply from DHA regarding the ostensive non-compliance in FOIA processing and false reporting discussed below. I have not received any response indicating that DHA has taken any action whatsoever to address this, including actions to preclude reoccurrence.

I am interested in the factual reasons for the ostensive non-compliance and false reporting. I am interested in what DHA is doing to begin factually reporting open FOIA requests and appeals as of the dates received (and in a related matter, open Privacy Act complaints).

I will very soon be referring this matter to the Department of Justice.

There may be many, many, many more emails to follow. The example below is just the tip of a very large iceberg.

With my deep respect,

Robert Hammond

-----Original Message-----
From: [Requester's .com email redacted.]
To: david.tillotson1.civ <david.tillotson1.civ@mail.mil>
Cc: linda.s.thomas47.civ <linda.s.thomas47.civ@mail.mil>
Sent: Sat, Feb 25, 2017 9:18 am
Subject: Re: FOIA Non-Compliance by Walter Reed (requests submitted 6...

Dear Mr. Tillotson,

I am forwarding the email thread below regarding the integrity of the Walter Reed/Defense Health Agency (DHA) FOIA (and Privacy Act (PA)) processes for your information or action as you may consider appropriate. This email thread of October 10, 2016 addresses some (of many) open FOIA requests dating back to FY 2014 that are almost certainly not being reported on Annual FOIA Reports to the Attorney General. Moreover, earlier and subsequent FOIA requests are likely not being accurately reported and PA matters are almost certainly not being properly reported to Congress.

Unfortunately, Ms. Linda S. Thomas (571-286-9517) who signs the DHA FOIA reports and is responsible for FOIA and HIPAA/PA compliance within DHA, has taken no action on this matter since she became aware of it several months ago. Moreover, no corrective action has been taken on many other FOIA/PA non-compliance matters dating back several years to the present. My personal observation is that non-complaint processes and inaccurate reporting may be ongoing at a significant level.

These are not “complex requests.” One might ask why Walter Reed and DHA are fighting so hard to keep secret Walter Reed’s FOIA report submissions, Walter Reed’s FOIA, PA and mail room procedures and inspections records and Walter Reed’s “Request for Amendment of Health Information” records.

One might surmise that these may be more management/leadership influence issues and DHA/Walter Reed legal staff advice that may not be in the best interest of the Department and individual employees rather than exclusively working-level employee intentional non-compliance issues. Consideration might be given to particular employees if that is the case.

Some have been rearranging deck chairs on the Titanic for many years. Now, there is only one lifeboat left within DoD and there aren't many seats left. This correspondence is being forwarded to others within DoD for situational awareness and to provide visibility. It may be also be forwarded to others later.

Thank you in advance for your consideration of these matters.

With my deep respect,

Robert Hammond

In a message dated 1/18/2017 8:53:00 A.M. Eastern Standard Time, linda.s.thomas47.civ@mail.mil writes:

> I will respond in due course. I am unable to give a precise date at this time. You have given us quite a number of actions to process.
>
> Linda S. Thomas, JD, CIPP/G, PMP, CISSP
> Chief, DHA Privacy and Civil Liberties Office
> Office: 703-275-6363
> Mobile: 571-286-9517
> Linda.S.Thomas47.civ@mail.mil
>
> "Quality and Service Above All"
> Please comment on our service at: VoiceoftheCustomer@dha.mil
>
> -----Original Message-----
> From: [Requester’s .com email redacted.]
> Sent: Tuesday, January 17, 2017 5:52 PM
> To: Thomas, Linda S CIV DHA PCL (US)
> Cc: DHA NCR PCL Mailbox FOIA Requests; Brown, Nadine R CIV DHA PCL (US); Ross, Doritha N CTR (US); Rahwa.Keleta@mail.mil; Michelle.Johnson.ctr@mail.mil; Michael.Tymkovich.ctr@mail.mil; perseverance2013@aol.com; Bizzell, Judy J CIV DHA NCR MEDICAL DIR (US); Davidge, JOSEPH E (Joe) JR CIV DHA WRNMMC (US)
> Subject: [Non-DoD Source] FOIA Non-Compliance by Walter Reed (reqeusts submitted 6.2.2014 - 6.2.2014)
>
> Dear Ms. Thomas,
>
> When might I receive your findings and results of action taken on each of the very serious FOIA non-compliance matters identified below. As previously noted, you are personally responsible for FOIA compliance and the accuracy of FOIA reporting via your reporting chain to the Attorney General of the United States.
>
> Per DHA web site:
> ==========
> "Freedom of Information Act (FOIA)
>
> The Defense Health Agency (DHA) Freedom of Information Service Center has principal authority to ensure Health Affairs (HA), DHA, and its components are in full compliance with the FOIA.

Liaison Officer

If you are concerned about service received from the HA/DHA FOIA Service Center, please contact the FOIA Liaison Officer at:

Defense Freedom of Information Policy Office
ATTN: Ms. Linda S. Thomas
Chief, Freedom of Information Service Center
Defense Health Agency
7700 Arlington Boulevard, Suite 5101
Falls Church, VA 22042-5101
Phone: 1-703-275-6363"

==========

Thank you,

With my respect,

Robert Hammond

In a message dated 12/28/2016 6:18:42 A.M. Eastern Standard Time, [Requester's .com email redacted.] writes:

Dear Ms. Bizzell,

Please address the 15 matters below and provide me the status of each FOIA request.

Dear Ms Thomas and Ms. Brown,

Please advise me of action taken to address these capacious and arbitrary violations of the FOIA and regulations and policies. Please address the 15 matters listed below.

Please preserve this correspondence in each FOIA case file until the longer of the statutory time for judicial review has passed or the NARA approved schedule.

With my respect,

Robert Hammond

In a message dated 12/2/2016 8:44:12 A.M. Eastern Standard Time, [Requester's .com email redacted.] writes:

with attachment.

In a message dated 12/2/2016 8:42:48 A.M. Eastern Standard Time, [Requester's .com email redacted.] writes:

Dear Ms. Bizzell,

You have not addressed the important matters in this correspondence which was sent to you via email, fax and mail. In particular, you have not addressed the delayed processing and delayed assignment of tracking numbers to my requests at the time - and within the same fiscal year – that they were submitted. Moreover, you have not acknowledged my request for Walter Reed's FY 2014 Annual FOIA Report Submission records. I contend that your FY 2014 report submission is inaccurate and incomplete.

Regarding tracking numbers, FOIA requires that “each agency shall establish a system to assign an individualized tracking number for each request received that will take longer than ten days to process and provide to each person making a request the tracking number assigned to the request” 5 U.S.C. § 522(a)(7)(A).

Your actions and failure to act, together with the those actions and failures to act of the Walter Reed Department Chief, HIPAA/Privacy Act/FOIA/Civil Liberties Office, [Redacted] constitute clear violations of the Freedom of Information Act and governing regulations and policies that go to the heart of the integrity of the FOIA process and the accuracy of FOIA reporting via your reporting chain to the Attorney General of the United States.

Ms. Thomas,

Your office has responsibility for FOIA compliance within DHA and any errors or omissions in Walter Reed’s FOIA reporting to you affects the accuracy and integrity of the DHA Annual FOIA report submissions. You have previously been provided numerous examples of potential violations and inaccurate reporting. These matters are worthy of Senior Leadership attention and are instructive for your staff members on this email.

I am requesting that you acknowledge this correspondence by return email to all and that you promptly open an investigation to address the matters in this correspondence. Hard copy will be faxed and mailed to you.

Thank you,

With my respect,

Robert Hammond

From: [Requester’s .com email redacted.]
To: judy.j.bizzell.civ@mail.mil, joseph.e.davidge.civ@mail.mil, linda.s.thomas47.civ@mail.mil
CC: dha.ncr.pcl.mbx.foia-requests@mail.mil, nadine.r.brown4.civ@mail.mil, doritha.n.ross.ctr@mail.mil, Rahwa.Keleta@mail.mil, Michelle.Johnson.ctr@mail.mil, Michael.Tymkovich.ctr@mail.mil, perseverance2013@aol.com
Sent: 11/3/2016 6:14:03 A.M. Eastern Daylight Time
Subj: Re: FOIA's Received

Dear Ms. Bizzell,

Your extraordinarily delayed reply and assignment of fiscal year (FY) 2017 FOIA tracking numbers to these prior FY FOIA requests in your email below, many of which were submitted to you over two years ago, suggests a lack of integrity in Walter Reed's FOIA processing as well as a lack of integrity and accuracy of your annual FOIA report submissions via your reporting chain to the Attorney General of the United States. This is worthy of senior leadership and Defense Health Agency (DHA) Privacy and Civil Liberties Office oversight attention and action. Your annual FOIA report submissions also impact the accuracy of those within your reporting chain, which has been the subject of significant correspondence with Walter Reed and DHA dating back to 2013.

Please reply to all parties on this email when addressing the FIFTEEN action items in this email.

For your convenience, I am including as “Attachment A” a 44 page PDF file containing the relevant initial FOIA submissions to you, which are summarized in the table below. The table omits some intervening FOIA requests so as not to confuse maters; however, FOIA tacking numbers and Walter Reed responses are due for those as well.

==========

My Personal
Requester CTRL #

Title/Subject

Date
Submitted

Best Guess of WRNMMC
Agency
Assigned # (?)

==========

WRNMC #14-X

WRNMMC Correspondence containing Six D Forms 2870

6/2/2014

17-01

==========

WRNMC#14-AA

WRNMMC Mail Room Procedures

7/27/2014

17-02

==========

WRNMC#14-AB

WRNMMC FOIA Instructions, SOPs, Desk Guides

9/2/2014

17-04

==========

WRNMC#14-AC

WRNMMC Privacy Act (PA) and Health Insurance Portability Accountability Act (HIPAA) Instructions, SOPs, Desk Guides

9/2/2014

17-05

==========

WRNMC#14-AD

WRNMMC FOIA Office Scanner Repair

9/2/2014

??
==========

WRNMC#14-AE

Privacy Act (PA)/ Health Insurance Portability and Accountability Act
(HIPAA) Training Completed by the WRNMMC Department Chief, IDP AAIPrivacy
Act/FOIA/Civil Liberties Office

9/2/2014

17-03
==========

WRNMC#14-AF

WRNMMC Privacy Office Inspections

9/2/2014

17-14
==========

WRNMMC #15-B

FOIA WRNMMC #15-B Form Entitled “Request for Amendment of Health Information

6/20/2015

17-15

==========
WRNMMC #15-C

Privacy Act Requests From January 1, 2013

6/20/2015

17-06

==========
WRNMC #16-A

Records Associated With Request for Correction of Medical Record Entries of Ms. Michele 0.Afriye, and Ms. Angela N. Leung (subsequently known as Angela Ngar Jee Mamangun)

11/8/2015

17-07

==========
WRNMC #16-B

Records of Inpatient Disclosure for Hammond, Robert for June 28th 2007 to June 29th 2013

11/8/2015

17-16

==========
WRNMC #16-C

Medical Records Correction Request - MHT TURA Y MARIATU H. CIV 3374

11/8/2015

17-08

WRNMC #16-D

Records Associated Medical Records Correction Request 1to 1 Sitter/Catheter

11/8/2015

17-09

==========
WRNMC #16-E

Medical Records Correction Request - Laboratory values

1/8/2015

17-10

==========
WRNMMC #16-F

FY 2015 Annual FOIA Report Supporting Records

9/19/2016

17-11

==========
WRNMMC #16-G

FY 2014 Annual FOIA Report Supporting Records

9/19/2016

??
==========

Please address the following:

1. Please address your assignment of a fiscal year 2017 FOIA tracking number for each of the FOIA requests noted above and in Attachment A along with your rationale for not assigning a FOIA tracking number in the correct fiscal year when each request was received.

2. Please address the non-sequential tracking numbers and gaps in your FY 2017 tracking numbers. You don't get to pick/alter the order in which requests are recorded as received in order to sequence them for processing.

3. Please address the omission of my Request #14-AD seeking records of the WRNMMC FOIA Office Scanner Repair, which was submitted after you alleged that Walter Reed did not have the capability to create PDF files in order to reply to my requests in the required format.PDF files remove any ambiguity in the what records were/are sent in reply to my FOIA requests, as some of past assertions of records provided in paper form are not factual.

4. Please address your omission of my Request 15-G seeking your FY 2014 Annual FOIA Report Supporting

Records.

5. Please provide for each request the projected date of Walter Reed's reply providing your determination of each request with release of responsive records (or the statutory basis for denial thereof), the reason for delay in processing and if you are asserting that any request is complex.

6. Please indicate if you did not receive each FOIA request on the date indicated above and in Attachment A.

7. Please indicate if you entered each request in your FOIA tracking log at the time that it was submitted/received.

8. Please indicate why no FOIA tracking number was assigned within ten days of the dates noted above and in Attachment A.

9. In recent adjudication of HIPAA matters and FOIA mediation, statements have been attributed to you specifically and/or your office that you did not receive certain FOIA request submissions. Please indicate if it is your assertion that you did not receive any of the emails in Attachment A and if so the circumstances supporting your assertion.

10. It now appears that you and the Walter Reed FOIA and legal staffs may be preparing to assert (as a feeble explanation for inaccurate FOIA reporting and non -compliance with governing laws, regulations and policies) that Walter Reed does not respond to FOIA requests submitted by email [and accompanying fax] , which has not been your past practice. You have been communicating with me by email at this email address continuously since 2013, responding to requests, follow-ups and various other matters, and you have never notified me of such a policy (despite FOIA requests seeking you policies and procedures). Both you and Mr. Davidge were recently each provided DVDs containing relevant email correspondence, which you acknowledge receiving thereby enabling you both to access each and every email. Please state for the record whether or not you and/or Walter Reed are asserting that Walter Reed does not respond to FOIA requests submitted by email and if that is your assertion when that policy/practice went into effect and who was notified of the change.

11. In recent adjudication of HIPAA matters and FOIA mediation, statements have been attributed to you specifically and/or your office that you spoke to me by telephone regarding FOIA requests, which is FACTUALLY INCORECT. In fact, Walter Reed abruptly withdrew from mediation regarding a 2013 FOIA request (that you acknowledge receiving in FY 2013) when challenged on that factually incorrect assertion and asked to provide any and contemporaneous records supporting the false statement(s). You have never spoken to me on the phone and my only telephonic contact with your office was with Mr. [Redacted] in early 2013 when Mr. [redacted] initiated phone contact to falsely state that two medical professionals were no longer assigned to Walter Reed and that Walter Reed therefore had no responsible to address medical record amendment requests related to them.

a. Please state for the record if it is your assertion that you have spoken to me by telephone at any time whatsoever and if that is your assertion please and identify the time, date, call initiator and any and all contemporaneous records supporting your assertion (such as entries in your FY 2013 FOIA processing log, etc.).

12. Please note that for each request , the records sought are as of the time and date of each request as indicated above and Attachment A. For example, my FOIA Request #14-AB seeks WRNMMC (Walter Reed) FOIA Instructions, SOPs, Desk Guides that existed at the time of my request on September 2, 2014 and my FOIA Request #15-B seeks records related to the Form Entitled "Request for Amendment of Health Information" as of the time of my request on June 20, 2015.

13. Please identify if notification of any of my requests was forwarded to any other party prior to my follow-up emails to you of September 11, 2016 and if so your purpose in doing so and to whom each such request was forwarded. Please note that any destruction of records following the date and time indicate in the emails contained in Attachment A would be a violation of governing laws, regulations and policies.

14. Attachment B contains 59 p[ages of my most recent follow-up emails to you of September 11, 2016 regarding these requests. Please indicate if you did not receive each of the emails in Attachment B on September 11, 2016 and if it is your assertion that you did not receive any email, please indicate the circumstances as to why you did not.

15. Please state for the record what dates you assert that you received Attachment A and Attachment B. Your delayed reply suggests internal manipulation of receipt dates in order to cover up non-compliance with governing laws regulations and plicies.

There is significant public interest in the integrity of the FOIA process and the accuracy of FOIA reporting to the Attorney General of the United States as well as the subject matte4r of each request.

Thank you.

With my respect,

Robert Hammond

In a message dated 10/11/2016 6:39:00 P.M. Eastern Daylight Time, judy.j.bizzell.civ@mail.mil writes:

> Mr. Robert Hammond
> 707 Upham Place, NW
> Vienna, VA 22180
>
> SUBJECT: Freedom of Information Act Requests
>
> Dear Mr. Hammond:
>
> The following Freedom of information Act requests have been received in this Office: Your 2016-E; 16-D; 16-A; 16-C; 16-B; 15-C; 15-B; 14-AF; 14-AE; 14-AD; 14-X; 14-AC; 14-AB and 14-AA.
>
> Due to the sheer volume of requests received, along with other requests, they have not been reviewed in full at this time. Each request is being reviewed and you will receive a tracking numbers (if applicable) no later than 21 October 2016.
>
> If you have questions please respond to this email or call (301) 400-2315.
>
> Sincerely,
>
> Judy J. Bizzell
> Freedom of Information Act Officer
> Walter Reed National Military Medical Center
> 8901 Wisconsin Ave
> Bethesda, MD 20889

Attachment AA

Montana Johnson, CTR, DON FOIA, PA Office
E-mail of 1.10.2018 8.25.57 AM

From: montana.johnson.ctr@navy.mil
To: [Requester's .com email redacted.]
Sent: 1/10/2018 8:25:57 AM Eastern Standard Time
Subject: RE: [Non-DoD Source] Appellate Determination. FW: Supplemental Response to FOIA Request DON-NAVY-2018-001229

Good Morning Mr. Hammond,

Please be advised that this email address is not designated to receive FOIA requests or status updates. If you wish to submit a FOIA request please visit our website at: http://www.secnav.navy.mil/foia/Pages/default.aspx; or to submit a status update via email, please send your request to DONFOIA-PA@navy.mil. While I will make every effort to forward your request to the proper individuals in a timely manner, submission of FOIA requests and/or status updates to this address may delay receipt and processing of your request.

Attachment BB

Invoices – Johnson, Portner, Hartwick

FOIA Invoice

Department of the Navy
Department of the Navy Chief Information Office
1000 Navy Pentagon
Washington, DC 20350

Mail Payment to	**FOIA Tracking Number**
1000 Navy Pentagon Washington, DC 20350	DON-NAVY-2018-003670
	Invoice Date 05/25/2018

Requester Contact Information	**Description of Records Requested**
robert hammond REDACTED	DON 18-BK –DON JAG Performance Standards of Robin W Patterson *** This Request will be timely for Judicial Review in twenty working days. *** RECORDS SOUGHT VIA FOIA. 1. For the government official identified below, I am respectfully seeking the performance planss from 2013 to present. I am specifically seeking the evaluation factors, and critical performance elements as among the data that would be contained within the performance plan, along with the identity of the reviewing officials. Note that I am not seeking the final performance evaluations, only

Request Received	**Date**	**By**
	01/26/2018	Chief of Naval Operations

Request Fulfilled by Agency	**Date**	**By**
	05/25/2018	Montana Johnson

Comments/Instructions

Please submit payment to the address shown above. Checks and/or money orders should be made payable to the U.S. Treasurer.

Request Fee Category

Commercial

Description of Costs	**Quantity**	**Amount (USD)**
Costs Sub-total		***$0.00***
	AMOUNT DUE	**$0.00**

FOIAOnline Invoice

Chief of Naval Operations
2000 Navy Pentagon
Washington, DC 20350

Invoice Date
08/28/2018

Mail Payment To
1000 Navy Pentagon
Washington, DC 20350

Requester Contact Information
robert hammond
REDACTED

Case File Information

Tracking Number	DON-NAVY-2018-002620
Request Received On	12/26/2017
Request Received By	Chief of Naval Operations
Request Fulfilled By	Joshua Portner
Requester Fee Category	Commercial

Comments / Instructions

Please submit payment to the address shown above. Checks and/or money orders should be made payable to the U.S. Treasurer.

Description	Quantity	Amount
		$0.00 (Invoice Total)

FOIAOnline Invoice

Chief of Naval Operations
2000 Navy Pentagon
Washington, DC 20350

Invoice Date
08/20/2018

Mail Payment To
1000 Navy Pentagon
Washington, DC 20350

Requester Contact Information
Robert Hammond
REDACTED

Case File Information

Tracking Number	DON-NAVY-2018-010418
Request Received On	08/13/2018
Request Received By	Chief of Naval Operations
Request Fulfilled By	Raymond Hartwick
Requester Fee Category	Other

Comments / Instructions

Please submit payment to the address shown above. Checks and/or money orders should be made payable to the U.S. Treasurer.

Description	Quantity	Amount
		$0.00 (Invoice Total)

Attachment CC

Email thread with DNS-36 email of June 19, 2013 8.28 AM,
Subject: Privacy Quarterly Report 3rd FY 13

From: Anbiya, Hakim CIV CNIC HQ, N00
To: Barnett, Kevin S LCDR CNRMW, N001; Bernardo Salazar (Japan); Bowers, Ralph L. CIV RLSO SW; Carroll, Brian N LCDR CNRH, N04C; Craig, Tianni L CIV CNIC HQ, N00; Emerson, Sherry D CIV CNRMW Great Lakes, N00D; Fritz, Deborah CIV CNRSE HQ, N00CS; (b) (6) CIV CNIC HQ, N00; Hilton, Donna CIV RLSONW; Holz, William C CIV CNRH, N04C; Joy L Johnson (MIDLANTIC Norfolk); Keltner, Patricia CIV CNRSW; Lowery, Brian K CIV CNRNW Command & Staff, Admin Officer; Mae Flores; Mary Sebastiani (Singapore); McMoore Jr, Samuela CIV CNRMA, CNRMA, Deputy Program Director Command & Staff; Parra, Joanne M CIV RLSO SE, JACKSONVILLE; Rieke, Davin E LCDR RLSO NW, BANGOR; Robert.D.Davis@eu.navy.mil; Shabazz, Asmar P CIV NDW WNYD, N00
Subject: RE: Privacy Quarterly Report 3rd FY 13
Date: Thursday, June 20, 2013 15:04:33

All,

I apologize for my typing error. The due date to me is 2 July 13. Sorry, I am trying to do too many things at once.

Mac,

Thanks for catching the error.

/r
H
Hakim S. Anbiya, MHR
Director, Command and Staff
Commander, Navy Installations Command
716 Sicard St, SE. Suite 104, Room 40
Washington Navy Yard, DC 20374
email: hakim.anbiya@navy.mil
Office: (202) 433-2919 DSN: 288-2919
Fax: (202)685-0270
CNIC Command and Staff link:
https://g2.cnic.navy.mil/CNICHQ/N00/Pages/Default.aspx

-----Original Message-----
From: Anbiya, Hakim CIV CNIC HQ, N00
Sent: Thursday, June 20, 2013 2:34 PM
To: Barnett, Kevin S LCDR CNRMW, N001; Bernardo Salazar (Japan); Bowers, Ralph L. CIV RLSO SW; Carroll, Brian N LCDR CNRH, N04C; Craig, Tianni L CIV CNIC HQ, N00; Emerson, Sherry D CIV CNRMW Great Lakes, N00D; Fritz, Deborah CIV CNRSE HQ, N00CS; (b) (6) CIV CNIC HQ, N00; Hilton, Donna CIV RLSONW; Holz, William C CIV CNRH, N04C; Joy L Johnson (MIDLANTIC Norfolk); Keltner, Patricia CIV CNRSW; Lowery, Brian K CIV CNRNW Command & Staff, Admin Officer; Mae Flores; Mary Sebastiani (Singapore); McMoore Jr, Samuela CIV CNRMA, CNRMA, Deputy Program Director Command & Staff; Parra, Joanne M CIV RLSO SE, JACKSONVILLE; Rieke, Davin E LCDR RLSO NW, BANGOR; Robert.D.Davis@eu.navy.mil; Shabazz, Asmar P CIV NDW WNYD, N00
Subject: FW: Privacy Quarterly Report 3rd FY 13

All,

It is that time again. I have not put this in TV5 yet, but wanted to make sure you had the tasker. I need the info back by COB 3 2 July. Yes, I know that is tough, but that is a holiday week before the due date to SECNAV. I really need your assistance in getting this completed. NEGATIVE replies are required.

/r
H
Hakim S. Anbiya, MHR
Director, Command and Staff
Commander, Navy Installations Command
716 Sicard St. SE, Suite 104, Room 40
Washington Navy Yard, DC 20374
email: hakim.anbiya@navy.mil
Office: (202) 433-2919 DSN: 288-2919
Fax: (202)685-0270
CNIC Command and Staff link:
https://g2.cnic.navy.mil/CNICHQ/N00/Pages/Default.aspx

-----Original Message-----
From: (b) (6) CTR OPNAV, DNS-36 On Behalf Of DONFOIA-PA
Sent: Wednesday, June 19, 2013 8:28 AM
To: Clemons, Karen R CIV DON/AA; Garcia, Della ; Alvers, Linda J CIV USFF, N01P; Anbiya, Hakim CIV CNIC HQ, N00; Triplett, Garrett CIV CNRFC, NOOJ; West, Susan CIV CNRFC, N00J; Erdmann, Eric : constance.hebert@cotf.navy.mil; ivan.cole@eu.navy.mil; Boyle, Timothy G LT COMUSNAVSO/C4F, JAG; Evans, Mary E. CIV NAVAIR 711000A; Major, Lou CIV NAVAUDSVC; Holder, Stacey D CIV NAVFAC HQ, FM; Dolan, Ginger CIV NAVSEA, SEA 09P; Crowther, Norma CIV; Campbell, David CIV NCIS, 00L; Seith, Kimberly A CIV NETC, Legal; Vollono, Michael J LT NHHC, OPS; Dupuy, Stephen J CIV OJAG, CODE 13; German, David Paul CIV; cjgauche@nps.edu; dick.thompson@nrl.navy.mil; Jones, Nancy B CIV NAVSAFECEN, 055R; david.lee@usnwc.edu; Terenyi, Lisa CIV OCHR, 08; Thames, David B LCDR, N097 DEA; 'Watson, Jeana' (jwatson@nmic.navy.mil); jwatson@navy.mil; Adams, Holly A CIV ONR, 01IG; Claussen, Roger R CIV CORB, CORB; Gordon, June Lani L CIV SPAWAR, 35000; emma.eusantos@ssp.navy.mil; Mcguire, Shallon D LN1 FLTCYBERCOM/C10F, N00; Forbes, Ryan ; Harrity, Nancy E CIV CHINFO, OI-8; Hopgood, Vanessa ; Battle, Candy N CIV FLDSUPPACT, FSA-01A; Knollmueller, Mark J CDR NAVINSGEN, N57; Gibbons, Patrick J CDR JAGC, USN; Fritz, Gregory LTJG U. S. Navy Band, Specialty Groups Dept. Head; Walker, Carl L CIV NAVSUP HQ, OLC; Bates, Michael M CAPTAIN FORCE JUDGE ADVOCATE, PENSACOLA; Coover, Joshua T CIV OASN (FM&C), FMO; linda.owens@nrl.navy.mil; donna.simpson@nexweb.org; 'sean.jones@eu.navy.mil'; donald.lupton@ssp.navy.mil; Gladney, Donald C CIV PACOM, J0213
Cc: Nenonene, Aku D CIV NAVSEA, SEA 09P; Pugliese, Lawrence CIV SEA 09P; Geary, Patrick J CIV NAVSEA, SEA 09P; Patterson, Robin L CIV OPNAV, DNS-36; Shaw, Phyllis CIV OPNAV, DNS-36C; Daughety, Steve CIV SECNAV, DON CIO; Muck, Steve CIV SECNAV, DON CIO; (b) (6) CTR OPNAV, DNS-36G; (b) (6) CTR OPNAV, DNS-36; Jones, Maureen E CIV PACOM/J021
Subject: Privacy Quarterly Report 3rd FY 13

All,

We have received the new templates for the 3rd Quarter FY13 Defense Privacy Program/Section 803 Quarterly Report (see attached) from the Defense Privacy and Civil Liberties Office (DPCLO). The templates will be sent out via Taskers. In order to avoid any delays in getting the forms and for those not in Taskers, we are sending an advance copy by email. In addition, instructions for filling out the forms have been included for your assistance.

Please note that DPCLO added a new column (Lines 12-19 Column H) entitled "FAR Clauses Included in Contract", which is highlighted in red on the SORN Review Report and has deleted the OMB Approval tab from the quarterly report. Please include the results from the SORN Review Report 93-2007 initiative that was recently sent to the Privacy Community and any other SORNs reviewed for this quarter.

Attachment DD

Email Thread, Strong, Richard R CTR OPNAV, DNS-36 On Behalf Of DONFOIA-PA, December 09, 2013 Subject: Action Item Due December 20, 2013- Quarterly FOIA Reporting (Sept 30-Dec 20)

From: Strong, Richard R CTR OPNAV, DNS-36 On Behalf Of DONFOIA-PA
Sent: Monday, December 09, 2013 9:05 AM
To: DONFOIA-PA; Patterson, Robin L CIV OPNAV, DNS-36; Adams, Holly A CIV ONR, BD04C; Aguon, Lisa S. CIV COMPACFLT, N01J; Alvers, Linda J CIV USFF, N01P; Bates, Michael M CAPTAIN FORCE JUDGE ADVOCATE, PENSACOLA; Barnett, Lisa A CIV FRCSE, JAX 11.0; Best, Genevieve M CIV NAVSEA, SEA COS; Bizzell, Judy; Brown, Idrelia R CIV NAVSEA, SEA COS; Callaham, Alicie B CIV Code 14; Carilli, Joseph; Chase-Ramsey, Patricia E CIV NAVINSGEN, N00KS; Christensen, April A. CIV DGC, WASH NAVY YARD; Claussen, Roger R CIV CORB, CORB; Clemons, Karen R CIV DON/AA; Connor, Chris D LCDR OJAG, CODE 20; Crawford, Debra M CTR PSD Kitsap, N14; Crowther, Norma CIV; Cusack, Christina M CIV NCIS, Code 00L; Davis, Kimberly A CIV FRCSE, JAX 11.0; Dickinson, John M CIV CNIC HQ, N00; Dolan, Ginger CIV NAVSEA, SEA 09P; Donovan, Janet R RDML DJAG (RA&O); Dronberger, Hal H OJAG Code 15; Edwards, Rebecca L CIV NSWC, PCD; Ellis, Brian J LCDR Expeditionary Strike Group FIVE, Legal; Erdmann, Eric ; Ford, Felecia M CIV OJAG, CODE 11; Fox, Ruth CIV NAVCYBERFOR, N03; Garcia, Della ; Gauzer, Thomas J CIV OJAG, CODE 15; German, David Paul CIV; Gibbons, Patrick J CDR JAGC, USN; Gray, Alison L CIV OCHR, 00E; Haagensen, Katharine J LT RLSO HAWAII, PEARL HARBOR; Hamlin, Donna M CIV NAVSEA, SEA COS; Harrison, Dave M CAPT RLSO SW, SAN DIEGO; Harrity, Nancy E CIV CHINFO, OI-8; Harwell, Vinez N CIV NAVSAFECEN, 055D; Hayes, Michael W CIV OGC, NLO; Higgins, Holly; Holder, Stacey D CIV NAVFAC HQ, FM; Hughes, Sally CIV HQMC, ARS; James, Susan C CIV SPAWAR, 35000; Jones, Daniel A, NAVHISTHERITAGECOM; Jones, Nancy B CIV NAVSAFECEN, 055R; King, Joseph; Lattin, Grant E CIV OJAG, CODE 14; Lawson, Susan E CIV CNRMC, CNRMC; Layne, Mike LCDR CNIC HQ, N00; Leme, Luis P CIV ONR, ONRA; Leonard, Patricia A CAPT NAVSEA, SEA 10; LePage, Laura L CIV NAVFAC MIDLANT, Staff; Lippolis, Lawrence CIV NAVINSGEN, N00K; Major, Lou CIV NAVAUDSVC; Manley, Crystal D CTR OPNAV, DNS-36; Mastowski, Kristen ; Melo, Kelly L CIV NUWC NWPT; Obrien, Mark CIV NAVINSGEN, N00K1; Oppenheimer, Nanette L CIV NAVSEA, SEA 00L; Patterson, Robin L CIV OPNAV, DNS-36; Poge, Crystle C CIV

COMNAVSURFLANT, N01L4; Reyes, Susan CIV NAWCTSD, 11.0; Rodini, Andraleigh CIV OJAG, CODE 15; Rodnite, Peter CDR NAVAIR 7.1, OOJ; Russell, Randall CIV OJAG, CODE 15; Seith, Kimberly A CIV NETC, Legal; Shaw, Phyllis CIV OPNAV, DNS-36C; Smith, Kevin P LCDR OPNAV, DNS-2; Spencer, Vaughn LCDR; Taylor, Barbara J CIV NAVSEA, SEA COS; dick.thompson@nrl.navy.mil; Triplett, Garrett CIV CNRFC, NOOJ; Triplett, Paul G.; Trojahn, Scott, LCDR PSD Oceana, OIC; Vincent, Robert E CDR OJAG, CODE 20; jwatson@nmic.navy.mil; Webb, James E CIV NAVSAFECEN 055C; Weiss, Mitchel CIV FRCSE, JAX 11.0; Witt, Maria CTR OPNAV, DNS-36; Zeigler, Richard D. Assistant to the General Counsel; Zimmerman, Delicia G LCDR RLSO, NDW; Nakamura, Byron M LT CNIC HQ, N00; Leary, Thomas F CDR OJAG, CODE 10; Blazek, Jessica ; Davis, Michelle CIV NAVSUP; Briceno, Daniela
Subject: Action Item Due December 20, 2013 - Quarterly FOIA Reporting (Sept 30-Dec 20)

Subject: Action Item Due December 20, 2013 - Quarterly FOIA Reporting (Sept 30-Dec 20)

DON FOIA Community:

Please be advised that DOJ continues to require Quarterly FOIA reporting. Due to the Holiday Season the consolidated submission from each Echelon I/II is due to DNS-36 no later than COB Friday, December 20, 2013. The remaining two weeks of the report will be submitted with the 2nd Quarter Report.

1. The Echelon I/II's, will coordinate with their subcomponents (same premise as the FOIA Annual Reporting process), consolidated the component data and provide your consolidated component response in the attached format. You may use the attached format to collect your subcomponents data. If you would like the master loader format to assist you in consolidating your responses, please contact our office thru the DONFOIA-PA@navy.mil mailbox or the FOIA Service Center at 202-685-0412.

2. Include in your final response to the DONFOIA-PA mailbox, the hours and cost to generate your components consolidated report. Additionally, to account for the incomplete data submitted in the 3rd Quarter Report, include the week of December 23th in your 2nd Quarter Report.

For those DON community members fully vested in the DON (NAVSEA) FOIA tracker and management tool, please find the attached SOP on how you can generate this data within the tool. This SOP provides you with visual step by step instructions.

Additionally please mark your calendars for the following dates to help us expedite timely Navy reporting:
1st quarter reporting due Dec 20th (early submission) - for Oct 2013 - Dec 20th
2nd quarter reporting due April 4th - to include Dec 23rd - March 31st
3rd quarter reporting due July 3rd- for April 2013 - June 30th
4th quarter reporting due Oct 3rd- for July 2013 - Sept 30th

Respectfully,
Robin Patterson
Head, DON FOIA/PA Program Office (DNS-36)
CNO Office of The Director, Navy Staff
Organization and Management Division
FOIA/PA Service Center 202 685-0412 DONFOIA-PA@NAVY.MIL
Direct line 202 685-6545 Robin.Patterson@navy.mil

Attachment EE

Navy Medical Logistics Command Ltr 5720/DON-NAVY-2018-010415, Ser OOJ/277, 10 Oct 18 released DONFOIA PA Email of March 25, 2014 5:04:07 PM With Countless Past FOIA Personnel

From: Strong, Richard R CTR OPNAV, DNS-36

To: abigail.meyers@navsoc.socom.navy.mil; Nenonene, Aku D CIV NAVSEA, SEA 09P; Gray, Alison L CIV OCHR, 00E; Helton, Allen CDR COMSUBLANT, N00L; Schneider, Allison C CIV RLSO, HAWAII; Dulka, Amy S. (CIV); Hanson, Amy N CIV NAVAIR, 11.0; Rodriguez, Amy L CIV CNSP, N00J; Rodini, Andraleigh CIV OJAG, CODE 15; Gaskins, Angel F CIV NAVAIRDEPOT; Coley, Anita M CIV Code 40; Easter, Anita F CIV FRCSE, JAX 11.0; Bibb, Antoinette A CIV NSWCCD West Bethesda, 004; Christensen, April A. CIV DGC, WASH NAVY YARD; Taylor, Barbara J CIV NAVSEA, SEA COS; Alvers, Linda J CIV USFF, N01P; Aguon, Lisa S. CIV COMPACFLT, N01J; mark.nevitt@eu.navy.mil; Gehlen, Erika C LCDR ESG2, N00; benlienb@cotf.navy.mil; susan..west1@navy.mil; cynthia.charbonneau@navsoc.socom.mil; nye@usna.edu; Yates, Ruth USNUNK NAVAIR 1490, , 53; linda.walters@navy.mil; charlene.scales@navy.mil; Hammett, Karla CIV CNIC HQ, N00; jwatson@nmic.navy.mil; Russell, Randall CIV OJAG, CODE 15; Garcia, Della W. GS BUMED; German, David Paul CIV; Mastowski, Kristen ; Jones, Nancy B CIV NAVSAFECEN, 055R; stephanie.l.carr@navy.mil; James, Susan C CIV SPAWAR, 35000; john.spiller@ssp.navy.mil; maryanne.mcmillan@navy.mil; Masters, Misty; teresa.d.ross@usmc.mil; Russell, Randall CIV OJAG, CODE 15; Donart, Alex C LT RLSO NDW, NAFW; Chase-Ramsey, Patricia E CIV NAVINSGEN, N00KS; Major, Lou CIV NAVAUDSVC; Shaw, Phyllis CIV OPNAV, DNS-36C; douglas.livingston@navy.mil; McMichael, Lukas C CIV SEA 08 NR; Christensen, April A. CIV DGC, WASH NAVY YARD; Leme, Luis P CIV ONR, ONRA; Claussen, Roger R CIV CORB, CORB; Clemons, Karen R CIV DON/AA; Sandel, Benjamin ; Munro, Beverly W CIV PORTS, 100L; Appleman, Bradley ; Lester, Bradley R. LCDR; Cook, Brett D LCDR COMNECC, N02L; Ellis, Brian J LCDR Expeditionary Strike Group FIVE, Legal; Petak, Brian B LT TSC, grlk; Lund, Bridget H; Dattilo, Bryan E LT; Nakamura, Byron M LT CNIC HQ, N00; candice.chanley@eu.navy.mil; Cozza, Carin M LT NCIS, Code 00L; cassandra.jefferson@fe.navy.mil; Chiappetta, Catherine K LCDR OJAG, CODE 13; D"andrea, Kate A CIV SOUTHEAST RMC Mayport FL; catherine.merritt@supshipba.navy.mil; Simpson, Catrina J CIV Code 15; Vavra, Randy ; Maida, Salvatore M CDR OJAG, CODE 14; Kennedy, Charlene S CIV SPAWARSYSCEN-ATLANTIC, 30000; Layne, Mike LCDR CNIC HQ, N00; c.vancleave@navy.mil; Norman-Button, Charlotte I LN1 CCSG-10, N007; Connor, Chris D LCDR OJAG, CODE 20; Kimball, Chris P LCDR COMNAVSURFLANT, N01LA; christina.chance@navy.mil; Cusack, Christina M CIV NCIS, Code 00L; Broussard, Christine ; Martin, Christopher L CIV NAVINSGEN, N16; Spain, Christopher CIV OJAG, Code 11; VanCleave, Chuck W CIV NAVFAC NW, BD4; Messner, Clint T CIV OPNAV, DNS-8; Shook, Colleen M. CDR OIC VLCP MIDLANT; Sweitzer, Constance A CIV NCIS, Code 00L; Thedwall, Craig S LCDR COMSUBGRU TEN, N02L; cristina.cusack@navy.mil; Manley, Crystal D CTR OPNAV, DNS-36; Poge, Crystle C CIV COMNAVSURFLANT, N01L4; Briceno, Daniela ; Eldredge, Daniel E CAPT CNIC HQ, N00; Jones, Daniel A, NAVHISTHERITAGECOM; Maley, Daniel J LCDR NAVMISSA; Nelson, Daniel A LCDR CPPD Det East, OPS; Harrison, Dave M CAPT RLSO SW, SAN DIEGO; Oehldrich, Dave W CIV EXWC, BD42; Caron, David M CIV NSWCCD W. Bethesda, 004; Christenson, David A LT RLSO SW, LEMOORE; German, David Paul CIV; Hodges, David A CIV NEDU; david.lee@usnwc.edu; Lincoln, David G LT Commander Submarine Group Two, N01L; Ostrander, David C. CIV; Townsend, David CIV N00L, HQ Legal; david.warning@eu.navy.mil; Rieke, Davin E LCDR RLSO NW, BANGOR; Young, Davis CIV MSC, N00L; Sorzano, Dawn M CIV NSWC IHEODTD, 1031; deanne.acree@eu.navy.mil; Patterson, Debbie J CIV SOUTHEAST RMC Mayport FL; White, Debra J CIV COMNAVAIRLANT, N01L5; Gucwa, Delinda G CIV NAVFAC MIDLANT, BD; Garcia, Della W. GS BUMED; Romeo, Denise L LT, OJAG, Code 20; Marion, Dennis S. CIV; Westman, Dennis E LT RLSO SW, SAN DIEGO; Murphy, Diana L CIV NUWC NWPT; Dioscoro.Santos@ssp.navy.mil; Jones, Dominic J CDR NAVINSGEN, N00L1; Hamlin, Donna M CIV NAVSEA, SEA COS; Hilton, Donna CIV RLSONW; donna.simpson@nexweb.org; Donnie.Spiegelman-Boyd@supshipba.navy.mil; Jeong, Doris CIV PSNS, Code 107; Parker, Doris S NAVSAFECEN, 053; Godefroid, Douglas J CIV DANTES; Matthews, Dusty S. (LT); edward.kirby@nexweb.org; Nixon, Edward P CIV COMSUBLANT, N02L1; Trezise, Eileen D CIV NAVSUP FLC Puget Sound; Williams, Eileen CIV NAVSUP WSS; Jarczyk, Elizabeth LT RLSO SW, Coronado; VanHorn, Liz G CIV SPAWARSYSCEN-PACIFIC, 35200; eliza.scott@usnwc.edu; Sharp, Ellen ; Nadal, Emilio M CIV NAVINSGEN, N161; Erdmann, Eric ; Roberge, Erin S CIV NCIS, Code 23; Duffy, Erma J CIV PHD NSWC, 11; Wiederholt, Esmeralda CIV; Ford, Felecia M CIV OJAG, CODE 11; Leal, Francisco R CIV RLSO SW HQ, SAN DIEGO; Best, Genevieve M CIV NAVSEA, SEA COS; Wood, Geoffrey W LN1 RLSO NW, EVERETT; george.amerson@cvn69.navy.mil; Vlahos, Georgia CIV NSTC, OGC; Gina.gesa.it@eu.navy.mil; Belk, Glenn E CTR OPNAV, DNS-36; GRACE.B.YOUNG@navy.mil; Young, Grace B. CIV SWRMC C100C; Lattin, Grant E CIV OJAG, CODE 14; gregory.buckley@supshipgr.navy.mil; Fritz, Gregory LTJG U. S. Navy Band, Specialty Groups Dept. Head; gregory.lewis@usnwc.edu; Dronberger, Hal H OJAG Code 15; Hanna, Holiday CAPT NAVINSGEN, N00L; FOIA@onr.navy.mil; Wexler, Ian S CDR CSP, N02L; Brown, Idrelia R CIV NAVSEA, SEA COS; Choi, Jaewon LCDR RLSO SW, POINT MUGU; Wilson, Jamal CIV NOSSA, N027; Rosenbaum, Andy A III CIV SPAWARSYSCEN-ATLANTIC, 35000; Hope, James C CIV TRF Kings Bay, 111; Childress, James T CIV NTTC Meridian, Admin; Dixon, James H CIV NAVFAC Washington; James.Masingil@navy.mil; james.ruddock@swfpac.navy.mil; Sylvan, James LT; Viano, James; Webb, James E CIV NAVSAFECEN 055C; Ellison, Jamie E CIV NCIS, 23; Pristas, Jamie CIV RLSO SW, China Lake; jason.baltimore@navy.mil; jwatson@nmic.navy.mil; Kalinoski, Jeanne M CIV RLSO MW; Gac, Jeffery J AO CVW-11, ADMIN OFFICER; jeffrey.canup@fe.navy.mil; Wallace, Jeffery L CIV Legal, 11.0; Goldsmith, Jennie L CDR RLSO SW HQ, SAN DIEGO; jennie.melko@med.navy.mil; Apted, Jennifer C CIV CSS, N01A; Toler, Jennifer B CIV NAVAIRDEPOT; Creveling, Jeremy K FCC CSCS DET WEST, N732; Markley, Jerod L LCDR RLSO SW BROADWAY, SAN DIEGO; Blazek, Jessica ; Heaton, Jessica L CIV PSNS, 107; Pyle, Jessica L LTCOMUSNAVSO/C4F, LEGAL; Gibb, Jevon M LT RLSO SW, SAN DIEGO; Jester, Jill CIV SCSC; Parra, Joanne M CIV RLSO SE, JACKSONVILLE; Walter, Joan E CIV RLSO SW CORONADO; Loftus-Williams, Jocelyn E LT OJAG, CODE 11; Bartlett, John ; Nilsen, Johnny CAPT RLSO SW BROADWAY, SAN DIEGO; Ellington, John P CAPT NAVINSGEN 106, NAFW; Peppetti, Jon D CDR COMUSNAVSO/C4F, SJA; joseph.labarbera@med.navy.mil; Rovira, Jose B. (CIV); Portner, Joshua M CTR OPNAV, DNS-36; Sheesley, Joyce F CIV NAVSUP BUS SYS CEN; Taylor, Juannette K CIV RLSO HAWAII; Adams, Julinda CIV NAVSEA; Johnson, Jullee CIV, NCSC, N1 Admin; Aquino, Kalsie CIV NAVFAC HI, BD32; Walton, Kara J CIV FRC-East, 11.0; kbutlersmith@nmic.navy.mil; Clemons, Karen R CIV DON/AA; Olszak, Karen NAVSUP FLC Norfolk, W-1436; Charlebois, Kary D CIV NHHC, HAD-Archives; Weiss, Kathleen M MRS SCHOOL OF MUSIC Admin Officer; Somerville, Kathlene J CIV OJAG, CODE 16; Marotta, Kathrine L. (NAVAIR); McNellis, Kathryn R CIV NAVSUP FLC Pearl Harbor; Townsend, Kathryn M CIV N62306; Lewis, Kathy V CIV NAVFAC SW; Robinson, Kathy CIV NSWC CRANE 000050\IG3; Stoodley, Kathy L CIV SUBMEPP, 1855; Segundo, Kawika T LTJG NHC Annapolis; Darrigo, Kellie R. (CIV); Carey, Kelly A CIV NSWC IHEODTD, CE; Kulka, Kelly A CIV ATRC Dahlgren;

Enclosure (2)

kelly.lopezclark.ctr@navy.mil; Melo, Kelly L CIV NUWC NWPT; Rickard, Kelly A CIV NAVFAC HI, BD42; Newton, Kenneth T CIV NAVFAC SE, JAXS; Rye, Kenneth T CIV MSC, N2; Johns, Kerri A LN1 RLSO Hawaii; Miller, Kerry LT; King, Kevin D CIV NSTC, OGC; Loughman, Kevin ; Seith, Kimberly A CIV NETC, Legal; Churchill, Kim M CIV NAVSUP FLC Puget Sound; Roman, Kim J LNCS COMSUBGRU 10, N02L1; kodi.mason.ctr@navy.mil; Mastowski, Kristen ; Seewald, Kristin L LT RLSO SW, CHINA LAKE; kumiko.ishii.ja@fe.navy.mil; Baty, Valerie CIV NSAWC, N1; larry.ellis@navy.mil; Anderson, Laura J. LT; LePage, Laura L CIV NAVFAC MIDLANT, Staff; Muir, Laurie A CIV NSWCDD, C7; Lippolis, Lawrence CIV NAVINSGEN, N00K; Carmichael, Andrew E LCDR OJAG, CODE 14; O"Regan, Mike M LCDR OJAG, CODE 14; Brehm, Les M CIV NAVSUP BUS SYS CEN; Cabral, Leslie CIV FRCSW, 10.2.4; Alvers, Linda J CIV USFF, N01P; Morris, Linda M CIV RLSO SW LEMOORE; Tagami, Linda E CIV NWS Seal Beach, N04C2; Aguon, Lisa S. CIV COMPACFLT, N01J; Barnett, Lisa A CIV FRCSE, JAX 11.0; Ellis, Lisa G. (CIV); Senay, Senay LT JAGC, USN; Klein, Vincent ; Howard, Lori CIV NAVINSGEN, N00K2; Taylor, Lorna M CIV MSCHQ, N00L; Blazek, Jonathan B LT OJAG, CODE 14; Dursa, Matt LT OJAG, CODE 14; McLeod, Lydia M CIV OJAG, CODE 13; Shaw, Phyllis CIV OPNAV, DNS-36C; Smith, Macarena CIV NWDC, Executive Secretary, N00; Miele, Maddalena; Contreras, Antonio M Major OJAG, CODE 14; Cortes, Manuel A LCDR CNATT, N6; Thomas, Manuel L CIV RLSO MIDLANT, NORFOLK; marcelle.hansen@supshipgr.navy.mil; Gill, Maria C, CIV; maria.e.gonzalez@navy.mil; Nahill, Maria CIV OCHR Philadelphia, 40; Pinto, Maria Ms. CIV NSMRL; Witt, Maria CTR OPNAV, DNS-36; Swarthout, Mariciel NAVSUP GLS; Mote, Marina G LN1 RLSO MIDLANT, NORFOLK; Gleason, Mark E CIV TRF KINGS BAY, 111; mark.golden@fe.navy.mil; mark.lunsford@eu.navy.mil; Obrien, Mark CIV NAVINSGEN, N00K1; Handy, Martin A CTR NAVSEA, SEA COS; DeMane, Mary K CIV NNSY, C107; Dolan, Ginger CIV NAVSEA, SEA 09P; McDonough, Mary E CIV NAVSEA, SEA COS; mary.gibson@supshipgc.navy.mil; Guerrant, Mary L CIV EXWC, ACQ1; Streeter, Mary CIV NOSSA; Mary.Taylor@navy.mil; Taylor, Mary H CIV PORTS, 100L; Bartholomaus, Matthew S LT OJAG, Code 16; Dunand, Matthew D CIV PSNS, 107; Ivey, Matthew W LCDR OJAG, CODE 60; Kugelman, Matthew LTJG; Wright, Matthew L LN1 CNRFC, N00J; Lupton, Matt CTR OPNAV, DNS-36; maureen.bullene1@navy.mil; Owens-Worley, Maureen A CIV NAVSUP FLC Puget Sound; Megan.Donnelly@ssp.navy.mil; megan.mudersbach.ctr@wpafb.af.mil; McGuire, Meichelle D CIV NAWCWD, K00000D; Andrews, Melanie A CIV OCHR-SAN DIEGO, 00; Hogan, Michael J CIV CNRC MILLINGTON, TN, N00; Jaeger, Michael J CAPT CNSP, N00J; Stutts, Michael LCDR; Wray, Michael T. LT; Knauss, Michele C CIV OCHR-SIL; Davis, Michelle CIV NAVSUP; Young, Midori A. CIV; Reyes, Miguelina CIV PHD NSWC, 011; Fuller, Miranda J LN1 CSFTLANT, N02; White-jones, Miriam CIV NNSY, C107; Weiss, Mitchel CIV FRCSE, JAX 11.0; Nancy.B.Bowie@navy.mil; Jones, Nancy B CIV NAVSAFECEN, 055R; Oppenheimer, Nanette L CIV NAVSEA, SEA 00L; Magno, Nicole E CIV SWOS, N1; Vidro, Cucho CIV NEDU, NEDU; Crowther, Norma CIV; Rodriguez, Obisia CIV HRSC SE; Chase-Ramsey, Patricia E CIV NAVINSGEN, N00KS; Patricia.Flores@fe.navy.mil; Kilcoyne, Patricia ; Litewski, Patricia D CIV NAVFAC MW, MS; Ross, Patricia J CIV NCIS, Code 00LJF; Spann, Pat A CIV NAVFAC Southeast, BM; Tingle, Patricia NAVAIR; Brown, Patrick M. (LT); Harrison, Patrick R. - LCDR GTMO; Jackson, Patrick ; Frawley, Paul E CIV FNMOC; Richelmi, Paul A LT OJAG, CODE 13; Triplett, Garrett CIV CNRFC, N00J; Penn, Peggie S CIV CNATRA; Medina, Peter T; Ketner, Philip E CIV MSCPAC, N2; Rohlfing, Philip W LT RLSO NW, EVERETT; phillip.farris@fe.navy.mil; Reece, Raeanne C CIV NAVFAC LANT, BD; Bowers, Ralph L. CIV RLSO SW; Russell, Randall CIV OJAG, CODE 15; Carlson, Raymond H. CIV; Turner, Raysa ; Beach, Rebecca L CIV FRC EAST, 11.0; Edwards, Rebecca L CIV NSWC, PCD; Kleintank, Rebekah S CIV CENSECFOR; Witcher, Renata K CIV OJAG NAMARA, Code 02; Lozada, Richard LCDR CID UNIT, LEGAL; Mason, Richard D CIV NAVSEA, SEA COS; Harper, Richard M CDR ADMIN LAW, NAFW; richard.poelma@fe.navy.mil; Strong, Richard R CTR OPNAV, DNS-36; richard.thomspon@nrl.navy.mil; Baldwin-Priddy, Rita J CIV 000050; Anselm, Robert P (CDR); Catterton, Robert E. (CIV); Rutherford, Robert C CIV MSC, N00L; Patterson, Robin L CIV OPNAV, DNS-36; DeTolve, Rock C CDR OPNAV, DNS Legal Advisor; Claussen, Roger R CIV CORB, CORB; Mckay, Ronda ; rossana.grasso@eu.navy.mil; Li, Ru LN1 Commander Submarine Group Two, N01L; Fox, Ruth CIV NAVCYBERFOR, N03; Forbes, Ryan ; Pickens, Ryan ; Vazquez, Samantha M.; Mundell, Samuel J CIV RLSO SW FALLON; O"Neil, Sara A LCDR RLSO SW, FALLON; Perkins, Saundra D CIV CNAL, N0L4; Flood, Scott W CIV PORTS, 100L; White, Semiyah CIV NAVSEA, SEA COS; Shannon.Kopplin@eu.navy.mil; Leathery, Sharon F. CIV NMLC; Gorman, Sheila A. CIV NMLC; Cunningham, Sherri L CIV NAVFAC MIDLANT, BD; Dollick, Sherri L CIV NAVSUP FLC San Diego, OL; Holder, Stacey D CIV NAVFAC HQ, FM; Ilges, Stasa CIV NSWC Corona, CL; Stephanie.L.Carr@navy.mil; Carter, Stephanie L. CIV; Rendino, Stephanie D CTR CNAP/CNAF, N01J; Pavoni, Stephani ; Anderson, Stephen P CIV NNSY, C107; Rodgers, Stephen M CIV NMC, N02L; stephen.jamrozy@navy.mil; Hill, Steven P CIV; Palmer, Steven W CIV NAVSUP FLC Jacksonville, 340; Farrell, Sue M CIV SPAWARSYSCEN-PACIFIC, 35200; Collier, Susan D CIV; Edwards, Susan M. (Civ); James, Susan C CIV SPAWAR, 35000; Muzzy, Susan R CIV NAVSEA KPWA; Reyes, Susan CIV NAWCTSD, 11.0; Tinsley, Susan M CIV NAVAIR; West, Susan CIV CNRFC, N00J; Van Dame, Tammy CIV CDSA Dam Neck, PAO; Bashioum, Tanya M CIV AD; tanya.cruze@navsoc.socom.navy.mil; Stevenson, Teresa CIV Admin Officer, NSCS; Fan, Terexa L LCDR CNAFR, N01J; Blair, Terri L CIV MSC, N00L; terry.sakowski@supshipgr.navy.mil; Marion, Thaddeus CIV TSC Great Lakes; Dunnington, Theresa CIV PHNSY, C107; therese.joergler@supshipnn.navy.mil; Gauzer, Thomas J CIV OJAG, CODE 15; Supler, Timothy L CIV NAVSUP FLC Norfolk, 00LC; Parr, Timothy R LCDR OJAG, FLAG SEC; Slupski, Tisa A CIV NETPDTC, N00C Command Evaluation; Orso, Tiziana; Degenhardt, Toby J. (LT); Thompson, Tomiko S CIV OJAG, CODE 20; Delgado, Tonja L CIV RLSO SW VENTURA COUNTY; Fuentes, Tonya R CIV AD, 11.0; Brooks, Tracy G CIV NAVAIRDEPOT; Clark, Tracy ; Hendrix, Tracy M CIV RLSO MIDLANT, NORFOLK; Jury, Trina M CIV NAVFAC PAC; Tomlinson, Twanda CIV NAVSUP FLC Norfolk; Gearhart, Valerie P CIV NAVAIR, AD 11.0; Nelson, Valta CIV NAWCWD, K00000D; Long, Vickie CIV NSWC Crane; Victoria.L.Sanderlin@navy.mil; Harwell, Vinez N CIV NAVSAFECEN, 055D; Lamas, Neta A CIV A, CIV RLSO NW, WHIDBEY ISLAND; Haskin, William CIV OCHR Norfolk, OGC; Barnes, William L CIV NATEC, 6.8.5.3; Bradley, Yvonne R CIV NSWCCD Philadelphia, 004; Rainey, Zanelle D CIV RLSO, NDW

Subject: Subject: Action Item Due April 1, 2014 - Quarterly FOIA Reporting (Dec 20-Mar 31)

Date: Tuesday, March 25, 2014 5:04:07 PM

Attachments: FOIA Online Quarterly Report SOP.docx
CONSOLIDATED FORM 3-21-14.pdf

DON FOIA Community:

Please be advised that DOJ continues to require Quarterly FOIA reporting. This quarter we will be doing the quarterly report both through the FOIA Online tool and manually - to verify complete and accurate migration from previous tracking systems.

1. The Echelon IIIs, will coordinate with their subcomponents (same premise as the FOIA Annual Reporting process), consolidate the component data and provide your consolidated component response in the attached format. You may use the attached format to collect your subcomponents data.
If you would like the master loader format to assist you in consolidating your responses, please contact our office thru the DONFOIA-PA *@* navy.mil mailbox or the FOIA Service Center at 202-685-0412.

2. Include in your final response to the DONFOIA-PA mailbox, the hours and cost to generate your component's consolidated report. Additionally, to account for the incomplete data submitted in the 1st Quarter Report, include the week of Dec 23, 2013 in your 2nd Quarter Report.

Additionally please mark your calendars for the following dates to help us expedite timely Navy reporting:
2nd quarter reporting due Apr 4 - to include Dec 23 - Mar 31
3rd quarter reporting due Jul 3 - for Apr 1 - Jun 30
4th quarter reporting due Oct 3 - for Jul 1 - Sep 30
FY 2014 Annual Reporting due Oct 15 - for Oct 2013 through Sep 2014

Respectfully,
Robin Patterson
Head, DON FOIA/PA Program Office (DNS-36) CNO Office of The Director, Navy
Staff Organization and Management Division FOIA/PA Service Center 202
685-0412 DONFOIA-PA *@* NAVY.MIL

Attachment FF

Richard Strong Email of 1.9.2019 at 8.42.12 AM
Releasing Phone Numbers

Subject: **RE: Re: Final Disposition, Request DON-NAVY-2018-000304**
Date: 1/9/2018 8:42:12 AM Eastern Standard Time
From: richard.r.strong@navy.mil
To: [redacted]
Cc: donfoia-pa@navy.mil

Second and final email

Respectfully

Richard R. Strong
CNO/SECNAV
Deputy Director, FOIA/Privacy
Department of the Navy
P-202-685-6546
F-202-685-6580
Richard.r.strong@navy.mil

-----Original Message-----
From: Strong, Richard R CIV OPNAV
Sent: Wednesday, January 03, 2018 3:26 PM
To: [redacted]
Cc: DONFOIA-PA
Subject: Re: Final Disposition, Request DON-NAVY-2018-000304

Good Afternoon,

Attached you will find all the documents released for request numbers 2017-008847 and 2018-000304.

Respectfully

Richard R. Strong
CNO/SECNAV
Deputy Director, FOIA/Privacy
Department of the Navy
P-202-685-0412
F-202-685-6580