



OFFICE of GOVERNMENT INFORMATION SERVICES

November 5, 2015 - Sent via U.S. mail

[Redacted]

Re: Case No. 201501159  
NG: CM: KG

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

Dear Mr. [Redacted]:

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

This responds to your September 3, 2015, letter to the Office of Government Information Services (OGIS), which we received via email. Your request for assistance concerns your Freedom of Information Act (FOIA) request to the Defense Intelligence Agency (DIA).

web: [www.ogis.archives.gov](http://www.ogis.archives.gov)  
e-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
phone: 202-741-5770  
toll-free: 1-877-684-6448  
fax: 202-741-5709

As you are aware, Congress created OGIS to complement existing FOIA practice and procedure and we strive to work in conjunction with the existing request and appeal process. OGIS's goal, whenever practical, is to allow the requester to exhaust his or her remedies within the agency, including the appeal process. OGIS has no investigatory or enforcement power, nor can we compel an agency to process a particular request before others. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

You contacted OGIS regarding your [Redacted] FOIA request to DIA. The DIA responded to your request on [Redacted] partially releasing 1616 pages, which were also released in response to a FOIA lawsuit filed by the National Security Counselors. You appealed this determination. [Redacted] DIA issued an interim response to your appeal, acknowledging that the agency would not meet the FOIA's 20 day statutory deadline for appeals due to unusual circumstances. At the time your appeal entered the DIA's queue, there were 210 appeals in front of yours. On [Redacted] [Redacted] DIA sent you a status update on your appeal, stating that your appeal was in the "Awaiting Tasking Queue" and it was number 43 of 59. You asked OGIS to assist with this matter.



OGIS contacted DIA's FOIA Public Liaison, Ms. Alesia Williams, to inquire about your appeal and its status. We learned from Ms. Williams that reviewing the records responsive to your request has been challenging because they are both voluminous and highly technical. Further, the documents require consultation reviews with 12 agencies that have significant equities in the information, which is why the initial response took 15 years. DIA is in the process of identifying someone to review the records for your appeal, since the information is highly technical and the original reviewer retired.

[REDACTED]  
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Based on DIA's FY 2014 Annual FOIA Report to the Department of Justice, the average processing time for FOIA appeals to that agency is two years, eight months, when there are no unusual circumstances. But in your case, DIA explained the FOIA unit does not have the expertise or the staff to be able to review this highly technical information to see if additional information can be released. Ms. Williams also explained that if the reviewer proposes additional information can be released, DIA must consult with the 12 agencies that have equities in the records. DIA gave an estimated date of completion for this appeal of early 2017. Your appeal is currently in the Awaiting Tasking queue, and is number 1 out of 12.

I hope you find this information useful. At this time, OGIS can offer no further assistance other than provide you the requested status and estimated date of completion. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

[REDACTED]  
[REDACTED]  
JAMES V.M.L. HOLZER  
Director

cc: Alesia Y. Williams, Chief, FOIA and Declassification Services Office, Defense Intelligence Agency