



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

JUL 19 2017

Ref: 17-F-0593

Ms. Joel Van Over
Pillsbury Winthrop Shaw Pittman, LLP
1650 Tysons Boulevard
Suite 1400
McLean, VA 22102-4856

Dear Ms. Van Over:

This is the final response to your enclosed February 22, 2017 Freedom of Information Act (FOIA) request, a copy of which is attached for your convenience. Your request was received in this office on February 23, 2017 and assigned FOIA case number 17-F-0593. We ask that you use this number when referring to your request.

The Defense Human Resources Activity (DHRA), a component of the Office of the Secretary of Defense (OSD), conducted a search of their records systems and provided twenty seven documents, totaling 423 pages, determined to be responsive to your request. Mr. Correy Thomas, Information Governance Lead, an Initial Denial Authority for DHRA, has determined that documents twenty six and twenty seven in their entirety and portions of documents one through twenty five should be withheld pursuant to Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4), which protects information, such as trade secrets and commercial and financial information obtained from a person on a privileged or confidential basis, that, if released, would result in competitive harm to a company, would impair the government from obtaining like information in the future, and/or would affect overall program effectiveness and Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6), which pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of individuals.

The Office of the Secretary of Defense incurred a cost totaling \$352.00 in processing your request. Assessable fees consisted of 8 hours of review time at the professional rate of \$44.00 per hour. Please make payment in the amount of \$352.00 via check or money order payable to the U.S. Treasury. Please reference case 17-F-0593 and send payment to: The Office of Freedom of Information, 1155 Defense Pentagon, Washington, D.C. 20301-1155.

This action closes your request with this office. There are no assessable fees associated with this response.

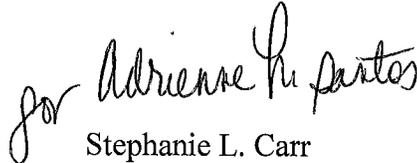
If you are not satisfied with this response, you may contact our OSD FOIA Public Liaison, Jim Hogan, at 571-372-0462 or by email at OSD.FOIALiaison@mail.mil. Also, please note that the Office of Government Information Services (OGIS) offers services to requesters who have disputes with Federal agencies. You may contact OGIS if you have concerns about the processing of your request. Their contact information is provided below:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

You have the right to appeal to the appellate authority, Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense, by writing directly to ODCMO Directorate for Oversight and Compliance, 4800 Mark Center Drive, ATTN: DPCLTD, FOIA Appeals, Mailbox# 24, Alexandria, VA 22350-1700. Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may use the OSD FOIA request portal at <http://pal.whs.mil/palMain.aspx> or email your appeal to osd.foia-appeal@mail.mil. If you use email, please include the words "FOIA Appeal" in the subject of the email. Please also reference case number 17-F-0593 in any appeal correspondence.

If you have any questions about the foregoing, please do not hesitate to contact, the Action Officer assigned to your request, Irina Tsiklik, at Irina.Tsiklik.civ@mail.mil or (571) 372-0465.

Sincerely,

for Adrienne R. Santos

Stephanie L. Carr
Chief

Enclosure:
As stated

FEB 23 2017



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C. Joel Van Over
tel: 703.770.7604
joel.vanover@pillsburylaw.com

February 22, 2017

VIA EMAIL.

Stephanie Carr
FOIA Contact
OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155

Re: **FOIA Request**

Dear Ms. Carr:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 522, as amended ("FOIA"), we request documents related to the collection of data, the evaluation of data, and the calculation of the Basic Allowance for Housing ("BAH") by the Defense Travel Management Office ("DTMO") or its contractor, for the BAH that will apply in 2017 in certain military housing areas ("MHAs"): NJ196, NJ 198, NJ200, NJ201, NJ 203, NJ 204, PA 248, PA249, and PA255 ("referred to herein as the NJ-PA MHAs"). For purposes of this FOIA request, the "BAH" means the BAH for each status category of service member and qualified non-service member and each type of housing unit related to each.

Specifically, we request the following documents:

1. Copies of all anchor point¹ data or other data submitted to DTMO (or its designee) by any contractor, including by Robert C. Niehaus, Inc., related to the determination of each 2017 BAH in each of the NJ-PA MHAs.
2. Documents sufficient to show the real estate professionals consulted by DTMO, its contractor(s), or others, the dates of such consultation, and the information provided as a result of such consultations, related to determining each 2017 BAH in each of the NJ-PA MHAs.

¹ "Anchor point" and anchor point data are defined in the DTMO publication "A Primer on the Basic Allowance for Housing (BAH)" dated January 2016, at section 10 (Housing Profiles and Standards), attached hereto for reference.

Ms. Joanne Collins
February 22, 2017
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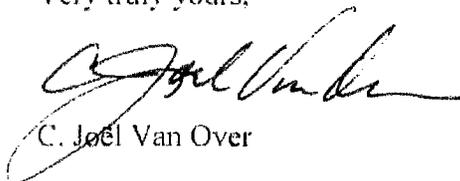
3. Copies of all analyses and reports related to market or other data submitted to DTMO (or its designee) by any contractor, including by Robert C. Niehaus, Inc., or by any government entity (including a base housing office), related to the determination of each 2017 BAH in each of the NJ-PA MHAs.
4. Copies of all recommendations by any contractor, including by Robert C. Niehaus, Inc., related to the calculation or determination of each 2017 BAH in each of the NJ-PA MHAs.
5. A copy of each contract with each contractor, including Robert C. Niehaus, Inc., and modifications thereto, related to collecting or analyzing data pertaining to the determination of each 2017 BAH in each of the NJ-PA MHAs.

We greatly appreciate your providing documents in response to this request as they are available. We are happy to accept electronic copies of any or all documents to the extent this is easier and acceptable.

We will promptly pay for copying and search charges, as required, up to \$500. Please notify us in advance if the anticipated charges are likely to exceed \$500.

Thank you for your assistance in this matter. If you have any questions, or need clarification, please contact me. I would appreciate receiving a confirmation of your receipt of this FOIA request.

Very truly yours,



C. Joel Van Over

Enclosure