

# Exhibit 16

# The Washington Post

1301 K STREET, N.W.  
WASHINGTON, D.C. 20071-7403

February 24, 2021

VIA EMAIL AND POST  
foiarequests@dodig.mil

Department of Defense  
Office of Inspector General  
ATTN: FOIA Appellate Authority,  
Suite 10B24,  
4800 Mark Center Drive  
Alexandria, VA 22350-1500

Re: FOIA APPEAL for FOIA request emailed on October 12, 2020.

Dear Information Officer:

I am appealing FOIA request emailed on October 12, 2020. For your convenience, I am including a copy of my initial request and your acknowledgement.

I find the lack of response after more than four months an adverse determination and am appealing it.

As you know, the Freedom of Information Act was established to guarantee prompt access to important government records. To that end, the FOIA grants an agency no more than thirty working days (in “unusual circumstances”) in which to respond to a request. 5 U.S.C. § 552(a)(6). When an agency fails to respond within that statutory timeframe, it has constructively denied the request. *Oglesby v. U.S. Dep't of Army*, 920 F.2d 57, 65 (D.C. Cir. 1990) (“Congress adopted the time limit provision in the FOIA in order to ‘contribute to the fuller and faster release of information, which is the basic objective of the Act.’” (quoting H.R. Rep. No. 93-876, 93d Cong., 2d Sess., reprinted (1974) U.S. Code Cong. & Ad. News 6267 at 6271)).

Please respond to my appeal by reviewing and releasing all non-exempt material, including the discretionary release of any exempt material that cannot be shown to cause foreseeable harm if released as required by 5 U.S.C. § 552(a)(8), within the twenty working days required by the FOIA.

As you process these records, please consider the strong public and policy interests in releasing this information as demonstrated by Congress's inclusion of reporting requirements about employment or compensation from a foreign government for retired military officers in Section 651 of the National Defense Appropriations Act.

Additionally, please consider that completed versions of the requested Foreign Government Employment Requests and Questionnaires have previously been released in response to Freedom of Information Act requests. I am attaching one such example that the Marine Corps has released.

Sincerely,  
/S/  
Nate Jones