

# **Exhibit 9**



**From:** WHS MC-ALEX ESD Mailbox OSD-JS FOIA Requester Service Center  
whs.mc-alex.esd.mbx.osd-js-foia-requester-service-center@mail.mil   
**Subject:** OSD/JS FOIA 22-F-0836  
**Date:** April 22, 2022 at 3:14 PM  
**To:** aturner@advancing-america.org  
**Cc:** Harper, Madalyn J CIV WHS ESD (USA) madalyn.j.harper.civ@mail.mil, Ernest-Johnson, Ann J CIV WHS ESD (USA) ann.j.ernest-johnson.civ@mail.mil, Strong, Richard R CIV WHS ESD (USA) richard.r.strong.civ@mail.mil, Pintar, Laura A CIV WHS ESD (USA) laura.a.pintar.civ@mail.mil

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Good afternoon,

Please find the interim response attached for your recent FOIA Request that was requested on April 20, 2022. The case number for this request is 22-F-0836, please refer to this number and the action officer mentioned in the interim response in any future correspondence regarding this case.

V/r,

Walt Jackson  
Freedom of Information Division OSD/JS  
walter.j.jackson12.ctr@mail.mil



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

Ref: 22-F-0836  
April 22, 2022

Mr. Adam Turner  
Center to Advance Security in America  
1802 Vernon St. NW  
Washington, 20009

Dear Mr. Turner:

This is an interim response to your April 20, 2022 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on April 20, 2022, and assigned it FOIA case number 22-F-0836. We ask that you use this number when referring to your request.

Although we have already begun processing your request, we will not be able to respond within the FOIA's 20-day statutory time period as there are unusual circumstances which impact our ability to quickly process your request. The FOIA defines unusual circumstances as (a) the need to search for and collect records from a facility geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other agencies or DoD components having a substantial interest in either the determination or the subject matter of the records. At least one, if not more of these scenarios applies or would likely apply to your request. While this office handles FOIA requests for the Office of the Secretary of Defense (OSD), the Joint Staff (JS) and other component offices, we do not actually hold their records and our office is not geographically located with these organizations. As we do not hold the records, until the required record searches are complete, we are unable to estimate the potential volume of records or the number of consultations that will be required to make a release determination.

Your request has been placed in our complex processing queue and is being worked based on the order in which the request was received. Our current administrative workload is approximately 3,811 open requests.

If you have requested a fee waiver, please note that decisions to waive or reduce fees are made on a case-by-case basis, and we will make a determination concerning your fee waiver request at the conclusion of the search and assessment of responsive records, should they exist. However, this office will only assess fees if we provide the final response to your FOIA request within the statutory time allotted by the FOIA or if the responsive records total more than 5,000 pages, even after a good faith effort on our part to limit the scope of your request.

In some instances, we have found that requesters who narrow the scope of their requests experience a reduction in the time needed to process their requests. If you wish to narrow the scope of your request or have questions about the foregoing, please do not hesitate to contact your Action Officer, Laura Pintar, at [laura.a.pintar.civ@mail.mil](mailto:laura.a.pintar.civ@mail.mil) or 571-372-0422.

Additionally, if you have concerns about service received by our office, please contact a member of our Leadership Team at 571-372-0498 or Toll Free at 866-574-4970.

Should you wish to inquire about mediation services, you may contact the OSD/JS FOIA Public Liaison, Tonya R. Fuentes, at 571-372-0462 or by email at OSD.FOIALiaison@mail.mil, or the Office of Government Information Services (OGIS) at the National Archives and Records Administration. The contact information for OGIS is as follows:

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

We regret the delay in responding to your request and appreciate your patience. As previously stated, please contact the Action Officer assigned to your request, Laura Pintar, and reference FOIA case number 22-F-0836, if you have any questions or concerns.

Sincerely,

Stephanie L. Carr  
Chief

Enclosure:  
As stated