

Attachment A



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Office of Legal Counsel

131 M St, N. E., Fifth Floor
Washington, D. C. 20507
Toll Free: (877) 869-1802
TTY (202) 663-7026
FAX (202) 653-6056
Website: www.eeoc.gov

May 13, 2019

Via: jwjmoeller@aol.com
Mr. James W. Moeller
4718 46th Street N.W.
Washington, DC 20016

Re: **FOIA No.: 820-2019-000425**

Dear Mr. Moeller:

Your request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received by the Office of Legal Counsel on May 13, 2019, is assigned to the Simple Complex Expedited track with the above FOIA number. It will be processed by **Rhonda Durham** who can be reached at (202) 663-4500.

EEOC will make every effort to issue a determination on your request on or before June 11, 2019. FOIA and EEOC regulations provide 20 working days to issue a determination on a request, not including Saturdays, Sundays and federal holidays. In *unusual circumstances*, EEOC may extend the 20 working days by 10 additional working days or stop processing your request until you respond to our request for fee or clarifying information. Should EEOC take an extension or stop processing your request, notice will be issued prior to the expiration of the 20 working days.

EEOC will make every effort to issue a determination on your request on or before June 11, 2019. FOIA and EEOC regulations, at 29 C.F.R. § 1610.9(d), provide 20 working days to issue a determination on a request, not including Saturdays, Sundays and federal holidays. As provided in 5 U.S.C. § 552(a)(6)(B) (2016), due to *unusual circumstances* we hereby provide you with the required written notice that we are extending by ten (10) working days the time in which we shall respond based upon:

- the need to search for and collect the requested records, if any exist, from field offices or other establishments that are separate from this office;
- the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or
- the need for consultation with another agency, or two or more components of this agency, having a substantial interest in the determination of the request.

Your "unperfected" request under the FOIA was received on May 13, 2019. The request will **not** be processed until it is perfected by the submission to this office a copy of a "Filed" marked court Complaint on the above charge. 29 C.F.R. §§ 1610.5(b)(3) and 1610.17(h). Failure to submit a copy of the "Filed" marked Complaint within 30 days of your receipt of this letter may result in the administrative closure of your request. Upon receipt of the "Filed" marked Complaint, your request will be *perfected* and processing will begin. At that time, EEOC will issue a letter acknowledging receipt of your *perfected* FOIA request, providing the name of the person who will be processing your request, and the date by which you may expect to receive a response from me.

Your request for expedited processing is not a proper request. If a "*compelling need*" exists for the records you request, please promptly submit a statement, certified to be true and correct to the best of your knowledge and belief, describing the reasons processing of your request should be expedited. You

may also submit your certified statement by mail to our office address in the letterhead above. Upon receipt of your certified statement, EEOC will adjudicate your request and notify you of the decision within ten (10) calendar days.

You may contact the FOIA Requester Service Center for status updates on your FOIA request or for FOIA information toll free at (877) 869-1802, or our non-toll free number 202-663-4634, or by e-mail to FOIA@eeoc.gov, or by facsimile to (202) 653-6056, or by mail to our office address in the letterhead above. Additionally, if your request was filed online through the FOIAXpress Public Access Link (PAL), you may monitor its status at <https://publicportalfoiapal.eeoc.gov>. You may also contact the EEOC FOIA Public Liaison, Stephanie D. Garner, for assistance.

Sincerely,

Joy Shealey/for

Stephanie D. Garner
Assistant Legal Counsel
FOIA@eeoc.gov