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Sent: Thursday, October 02, 2014 3:22 PM

To: WHS MC-ALEX ESD Mailbox DoD FOIA Policy Office

Subject: Referrals of FOIA Requests from the National Security Archive

To DoD FOIA Officers,

This message concerns FOIA requests received from the National Security Archive. For many years, the Department of Defense has had an understanding with the Archive concerning the referral of their FOIA requests. They have, on several occasions, expressed to us that when a DoD Component receives a FOIA request from them, that request should not be referred to another DoD Component for a search. They accept the responsibility of sending it to the correct Components.

For example, if the Navy receives a request from the Archive and the Navy determines that USEUCOM may have responsive documents, the request should not be referred to USEUCOM. Instead, the Navy should address the request only for the Navy. Among some possible actions, the Navy may conduct a search, make a referral to one or more Navy activities, or respond that the subject of the request is not under the cognizance of the Navy. Of course, if a Navy search turns up documents with USEUCOM equities, then the request with the documents will be referred or transferred for a consultation to USEUCOM, whichever is appropriate.

I know that this is an exception to our policy guidance which says that we should refer a request to another Component should we have reason to believe that the other Component would have responsive documents. However, I believe that this exception for the National Security Archive actually makes our jobs a bit easier, and I am appreciative that the Archive is willing to work with us on this.

Jim Hogan