

The following list contains the entire submission submitted November 25, 2024 06:50:13pm ET, and is formatted for ease of viewing and printing.

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**Contact information**

<b>First name</b>	Irvin
<b>Last name</b>	McCullough
<b>Mailing Address</b>	(b)(6)
	Unit 19
<b>City</b>	Washington, D.C.
<b>State/Province</b>	Washington, D.C.
<b>Postal Code</b>	20018
<b>Country</b>	United States
<b>Phone</b>	(b)(6)
<b>Company/Organization</b>	Government Accountability Project
<b>Email</b>	(b)(6)

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**Request**

<b>Request ID</b>	1723271
<b>Confirmation ID</b>	1726771

From June 1, 2023 through January 1, 2024, I request a sample of up to 10 completed FOIA case files from your office’s FOIA tracking system where scope clarification occurred. Each case must have all of: (1) a written agency response seeking clarification about the scope of records sought; (2) a written requester response that clarified the request; (3) a final determination letter; and (4) a case closure date within the specified date range. For each of these case files, I seek only: (1) the initial FOIA request; (2) the agency's scope clarification letter (or email or similar record); (3) the requester's clarification response or the request as it was ultimately processed; (4) and the final determination letter. Specifically, for a sample of requests where clarification was needed, I’m looking for the original request, the rationale for clarification, and the clarified request. I am studying how agencies and requesters work together to clarify and refine requests, so I need only the substance of these communications, not any personally identifying details. To reduce processing time and protect privacy: please exclude any Privacy Act requests, cases where clarification was sought solely about fees, and cases where the requester never responded with clarification. And please redact all personal information (names, addresses, emails, phone numbers). If your office cannot find 10 completed case files with these criteria, please send as many case files as you can find that do.

**Request description**

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**Supporting documentation**

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**Fees**

**Request category ID**

media

**Fee waiver**

yes

## Explanation

I meet the statutory definition of a "representative of the news media." I am a senior fellow at the Government Accountability Project (GAP), a 501(c)(3) nonprofit organization dedicated to government transparency and accountability, and a freelance journalist with a documented history of disseminating information to the public. As a regular contributor to GAP's news blog and other media outlets, I produce content that reaches a wide audience. The D.C. Circuit has established that news media status focuses on the nature of the requester, not the specific request. The requested records directly reveal specific information about federal FOIA operations, particularly how agencies work with requesters to clarify and refine requests. This provides insight into a core government function — namely, how agencies implement FOIA's mandate for public access to government records. The requested information will advance public knowledge by revealing patterns in how federal agencies communicate with FOIA requesters, identifying best practices and potential areas for improvement in FOIA processing, providing concrete examples of successful request clarification processes, and help future requesters better frame their FOIA requests. This analysis will go beyond currently available information by offering detailed insights into the scope clarification process across federal agencies. I have concrete plans to analyze the records and share my findings with the FOIA requester community and the general public. Through GAP's established platforms—including blogs, newsletters, and media partnerships—I will disseminate the information widely. While case law indicates that proof of dissemination capacity is not required, my track record demonstrates my ability to effectively reach and inform a broad audience. This request is not for commercial use. GAP is a nonprofit organization that will receive no commercial benefit from the disclosed information. The records will be used solely for public education and advocacy purposes, aligning with GAP's mission to promote government accountability and transparency. If a full fee waiver is not granted, I request to be classified as a representative of the news media and charged only for duplication costs after the first 100 pages, as stipulated under FOIA provisions. Please notify me before proceeding if the estimated fees exceed \$25.

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**Expedited processing**

Expedited Processing

no

Additional information

attachments\_supporting\_documentation

fee\_amount\_willing

0

From: (b)(6)@yahoo.com>  
Sent: Wednesday, October 4, 2023 11:01 AM  
To: General Counsel <General.Counsel@deca.mil>  
Subject: Report

To whom it may concern;

Please forward a copy of the incident report dated 09/29/23, reference (b)(6)  
(b)(6). (b)(6) slipped and fell while shopping. Please send to  
(b)(6)@yahoo.com. Thank you

## Schmidt, Kirk E CIV DECA HQ (USA)

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**From:** Schmidt, Kirk E CIV DECA HQ (USA)  
**Sent:** Wednesday, October 4, 2023 1:01 PM  
**To:** (b)(6) @yahoo.com  
**Subject:** DeCA FOIA 24-003  
**Signed By:** kirk.Schmidt@deca.mil

Good afternoon,

The Defense Commissary Agency will handle this request as a Freedom of Information Act (FOIA) request. This request will be tracked as DeCA FOIA 24-003.

Can you please let me know which store the incident took place in?

For privacy reasons it would be better if Joyce Duncan submitted this request. That way it can be released in full without redactions that would typically be used to protect personally identifying information.

This request will be processed as expeditiously as possible. However, please be aware that the final response time will be determined by such factors as the complexity of the request, the availability of resources, the coordination between offices to include consultation among DoD components, etc.

Further, please allow this correspondence to serve notice, as required by 5 USC 552 (a)(6)(A)(i), that the Defense Commissary Agency intends to comply with and process your request thus satisfying the statutory 20-day time limit in which to provide such a determination.

If you have any questions with regard to your request, please do not hesitate to contact me.

Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

-----Original Message-----

From: Orndorff, Kaytie M CIV DECA HQ (USA) <Kaytie.Orndorff@deca.mil>  
Sent: Wednesday, October 4, 2023 12:41 PM  
To: Schmidt, Kirk E CIV DECA HQ (USA) <Kirk.Schmidt@deca.mil>  
Subject: FW: Report

Good afternoon Kirk,

Please see request below for an incident report for (b)(6) (b)(6) had a slip and fall. I cant locate the report, I am still searching for it.

Thank you  
Kaytie

-----Original Message-----

From: (b)(6)@yahoo.com>

Sent: Wednesday, October 4, 2023 11:01 AM

To: General Counsel <General.Counsel@deca.mil>

Subject: Report

To whom it may concern;

Please forward a copy of the incident report dated 09/29/23, reference (b)(6)  
(b)(6), (b)(6) slipped and fell while shopping. Please send to . Thank  
you

## Schmidt, Kirk E CIV DECA HQ (USA)

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**From:** (b)(6)@yahoo.com>  
**Sent:** Tuesday, October 17, 2023 8:00 AM  
**To:** Schmidt, Kirk E CIV DECA HQ (USA)  
**Subject:** Re: DeCA FOIA 24-003

Good morning,  
The incident occurred at the commissary at Andrews AFB in aisle #4.

On Tuesday, October 17, 2023 at 06:36:44 AM EDT, Schmidt, Kirk E CIV DECA HQ (USA) <kirk.schmidt@deca.mil> wrote:

Good morning,  
On October 4, 2023 you emailed the Defense Commissary Agency seeking the incident report dated 09/29/23 regarding (b)(6) slip and fall while shopping.  
On that same day, I emailed you asking which store this accident took place in. You did not respond. Unless you provide the name of the store, I will assume that your unresponsiveness means that you want to withdraw the request.  
Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

-----Original Message-----

From: Schmidt, Kirk E CIV DECA HQ (USA)  
Sent: Wednesday, October 4, 2023 1:01 PM  
To: (b)(6)@yahoo.com (b)(6)@yahoo.com>  
Subject: DeCA FOIA 24-003

Good afternoon,  
The Defense Commissary Agency will handle this request as a Freedom of Information Act (FOIA) request. This request will be tracked as DeCA FOIA 24-003.  
Can you please let me know which store the incident took place in?

For privacy reasons it would be better if (b)(6) submitted this request.  
That way it can be released in full without redactions that would typically be used to protect personally identifying information.

This request will be processed as expeditiously as possible. However, please be aware that the final response time will be determined by such factors as the complexity of the request, the availability of resources, the coordination between offices to include consultation among DoD components, etc.

Further, please allow this correspondence to serve notice, as required by 5 USC 552 (a)(6)(A)(i), that the Defense Commissary Agency intends to comply with and process your request thus satisfying the statutory 20-day time limit in which to provide such a determination.

If you have any questions with regard to your request, please do not hesitate to contact me.



Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

-----Original Message-----

From: Orndorff, Kaytie M CIV DECA HQ (USA) <Kaytie.Orndorff@deca.mil <mailto:Kaytie.Orndorff@deca.mil> >  
Sent: Wednesday, October 4, 2023 12:41 PM  
To: Schmidt, Kirk E CIV DECA HQ (USA) <Kirk.Schmidt@deca.mil <mailto:Kirk.Schmidt@deca.mil> >  
Subject: FW: Report

Good afternoon Kirk,

Please see request below for an incident report for (b)(6). (b)(6) had a slip and fall. I cant locate the report, I am still searching for it.

Thank you  
Kaytie

-----Original Message-----

From: (b)(6)@yahoo.com (b)(6)@yahoo.com >  
Sent: Wednesday, October 4, 2023 11:01 AM  
To: General Counsel <General.Counsel@deca.mil <mailto:General.Counsel@deca.mil> >  
Subject: Report

To whom it may concern;

Please forward a copy of the incident report dated 09/29/23, reference (b)(6). (b)(6) slipped and fell while shopping. Please send to . Thank you

## Schmidt, Kirk E CIV DECA HQ (USA)

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**From:** Schmidt, Kirk E CIV DECA HQ (USA)  
**Sent:** Wednesday, October 18, 2023 6:56 AM  
**To:** (b)(6)  
**Subject:** DeCA FOIA 24-003 - Response  
**Attachments:** 24-003 - Incident Report.pdf

Good morning,  
Attached is the incident report you requested.

Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

## FOIA (Freedom of Information Act)

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**From:** (b)(6)@yahoo.com>  
**Sent:** Wednesday, October 18, 2023 2:33 AM  
**To:** Schmidt, Kirk E CIV (US) DeCA HQ CCB; FOIA (Freedom of Information Act)  
**Subject:** 22AUG1FKLWWKP0872309

Good Morning Mr. Schmidt,

I am FOIA requesting the Store Manager (GS-1144-09)

Documents:

Score Cards  
Orginial Announcements  
Resumes  
Candidate List

(b)(6)  
(b)(6)@yahoo.com

Thanks.

## Schmidt, Kirk E CIV DECA HQ (USA)

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**From:** Schmidt, Kirk E CIV DECA HQ (USA)  
**Sent:** Wednesday, October 18, 2023 6:33 AM  
**To:** (b)(6) @yahoo.com  
**Subject:** DeCA FOIA 24-011 - CLARIFICATION

Good morning,

DeCA received your FOIA request regarding the store manager hiring action - RPA# 22AUG1FKLWWKP0872309. This request will be tracked as DeCA FOIA 24-011.

Please provide the location for this hiring action.

Once the location is received, this request will be processed as expeditiously as possible. However, please be aware that the final response time will be determined by such factors as the complexity of the request, the availability of resources, the coordination between offices to include consultation among DoD components, etc.

Further, please allow this correspondence to serve notice, as required by 5 USC 552 (a)(6)(A)(i), that the Defense Commissary Agency intends to comply with and process your request thus satisfying the statutory 20-day time limit in which to provide such a determination.

If you have any questions with regard to your request, please do not hesitate to contact me.

Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

## Schmidt, Kirk E CIV DECA HQ (USA)

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**From:** (b)(6)@yahoo.com>  
**Sent:** Tuesday, October 24, 2023 10:51 AM  
**To:** Schmidt, Kirk E CIV DECA HQ (USA)  
**Subject:** Re: DeCA FOIA 24-011 - CLARIFICATION

Hario Japan. Selectee (b)(6)

Sent from Yahoo Mail for iPhone

On Tuesday, October 24, 2023, 10:46 AM, Schmidt, Kirk E CIV DECA HQ (USA) <Kirk.Schmidt@deca.mil> wrote:

Good morning,  
Last week I requested clarification on this Freedom of Information Act (FOIA) request.  
I need the location for this store manager position to get the records you requested.  
Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

-----Original Message-----

From: Schmidt, Kirk E CIV DECA HQ (USA)  
Sent: Wednesday, October 18, 2023 6:33 AM  
To: (b)(6)@yahoo.com (b)(6)@yahoo.com>  
Subject: DeCA FOIA 24-011 - CLARIFICATION

Good morning,  
DeCA received your FOIA request regarding the store manager hiring action - RPA# 22AUG1FKLWWKP0872309.  
This request will be tracked as DeCA FOIA 24-011.

Please provide the location for this hiring action.

Once the location is received, this request will be processed as expeditiously as possible. However, please be aware that the final response time will be determined by such factors as the complexity of the request, the availability of resources, the coordination between offices to include consultation among DoD components, etc.

Further, please allow this correspondence to serve notice, as required by 5 USC 552 (a)(6)(A)(i), that the Defense Commissary Agency intends to comply with and process your request thus satisfying the statutory 20-day time limit in which to provide such a determination.

If you have any questions with regard to your request, please do not hesitate to contact me.

Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982

## Schmidt, Kirk E CIV DECA HQ (USA)

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**From:** Schmidt, Kirk E CIV DECA HQ (USA)  
**Sent:** Tuesday, October 31, 2023 7:51 AM  
**To:** (b)(6)  
**Subject:** DeCA FOIA 24-011 - Response  
**Attachments:** 24-011 - Certificate of Eligibles 1 (Redacted).pdf; 24-011 - Certificate of Eligibles 2 (Redacted).pdf; 24-011 - Job Announcement.pdf; 24-011 - Resume - Applicant 1 (Redacted).pdf; 24-011 - Resume - Applicant 2 (Redacted).pdf; 24-011 - Resume - Applicant 3 (Redacted).pdf; 24-011 - Resume - Applicant 4 (Redacted).pdf; 24-011 - Resume - Selected (Redacted).pdf

Good morning,  
On October 24, 2023 you submitted a Freedom of Information Act (FOIA) request regarding the Hario Commissary store manager hiring action.  
Specifically, you requested the score cards, original announcement, resumes, and candidate list.

Note, this hiring action did not require an interview panel and one was not used, therefore there are no score sheets. The Certificates of Eligible Applicants, applicant resumes, and job announcement are being released.

Some of these records have been redacted citing 5 U. S.C. 552, Exemption (b)(6) which protects personally identifiable information.

All information redacted is indicated by the notation "(b)(6)."

Before applying these FOIA exemptions DeCA considered the foreseeable harm in releasing the information.

Because information has been withheld, this is considered a partial denial.

You are hereby advised of your right to appeal this determination under DoD Directive 5400.7-R.

If you would like to do so, please let me know so that I can have DeCA Initial Denial Authority issue a final decision, which will provide appeal instructions.

Please note that this appeal process is for the FOIA request not the hiring process.

Kind regards,  
Kirk

Kirk Schmidt  
FOIA / Privacy Officer  
(804) 734-8000 ext 48982