

SCOTT A. HODES, ATTORNEY AT LAW

POST OFFICE BOX 42002
WASHINGTON, DC 20015
WWW.INFOPRIVACYLAW.COM

MEMBER DC AND MD BARS

INFOPRIVACYLAW@YAHOO.COM

(301) 404-0502

February 13, 2012

Office of General Counsel (OGC/024)
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Via Email (ogcfoiaappeals@va.gov)

FOIA Appeal – OS&LE letter of January 30, 2012

Dear Appeals Officer:

This is an appeal of the January 30, 2012 response of my Freedom of Information Act ("FOIA") request originally made to the Department of Veteran Affairs main FOIA Office on December 5, 2012.

By letter dated December 5, 2012, I submitted a FOIA request to Laurie Karney, FOIA Team lead requesting:

1. [a]ll records concerning oversight of the Office of Security & Law Enforcement and the Law Enforcement Training Center for FY 2006-2011. These oversight records may include, but are not limited to personnel training records, training compliance, certifications and qualifications; and
2. I also seek any results maintained by the VA on the results of these oversight activities, including corrective action plans and best practices.

By letter dated January 5, 2012, James P. Horan, Director, FOIA Service, informed me that his office did not have any responsive records. Mr. Horan further advised me that he had referred the request to the Office of Operations, Security and Preparedness.

By letter dated January 30, 2012, Tanya Al-Khateeb informed me that the Office of Operations, Security and Preparedness, Office of Security and Law Enforcement ("OS&LE") had no responsive records.

I appeal the finding that the VA has no responsive records. I believe that Mr. Horan's referral to Ms. Al-Khateeb's office was improper as I clearly seek oversight records of the OS&LE, and that office should not oversee itself.

February 13, 2012

Please review Mr. Horan's search and also instruct him to refer this request to the proper office that oversees OS&LE activities – be it an Assistant Secretary in the main office, the Office of Inspector General or another component of the VA. If the VA does not oversee the activities of OS&LE, please let me know this also.

If you have any questions concerning this matter, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott A. Hodes', with a long horizontal flourish extending to the right.

Scott A. Hodes