



October 10, 2018

Edward Hasbrouck
1130 Treat Avenue
San Francisco, CA 94110

Dear Mr. Hasbrouck:

The National Commission on Military, National, and Public Service (NCMNPS or the “Commission”) received your appeal related to FOIA request 2018-SP-03 on September 26, 2018. You asked for reconsideration of the Chief FOIA Officer’s determination that the request should not receive expedited processing. For the reasons set out in his letter, I have determined that the information provided by you does not support expedited processing of your FOIA request.

Section 552(a)(6)(E) of the Freedom of Information Act requires agencies to promulgate regulations permitting for expedited processing when the requester “demonstrates a compelling need” or in cases “determined by the agency.” The Commission’s regulations describe three situations in which expedited processing may be granted to a FOIA requester. *See* 1 CFR 426.205(c)(1-3). You have requested expedited processing under one of these situations, which applies “to a request made by a person primarily engaged in dissemination information” when “there is an urgency to inform the public about actual or alleged Federal Government activity.” You claim that the requested records are urgently needed to enable interested members of the public to direct their comments to the issues which the Commission is most interested and to respond to arguments advanced by other interested parties before September 30, 2018, a deadline for submitting comments that was published in the *Federal Register*. You also note that later comments would inevitably have less influence over the Commission’s deliberations and that, based on previously released records, you anticipate the Commission will release an interim report in the near future. As was stated in the Chief FOIA Officer’s acknowledgement notice, the Commission continues to accept comments and feedback about the topics under its mandate from the public on its website. The Commission website notes this fact, and highlights that the Commission will hold public hearings in 2019 as well. In short, there remain ample opportunities for the public to provide input to the Commission. For the above reasons, your appeal for expediting processing is denied.

As set forth in the Commission’s regulations, you may appeal this denial of expedited processing through judicial review or through dispute resolution services, which are offered by the Office of Government Information Services (OGIS) at the National Archives and Records Administration. You can learn more about these services at <https://www.archives.gov/ogis/mediation-program> or by contacting OGIS at:

Address: 8601 Adelphi Road – OGIS, College Park, MD 20740
Email: ogis@nara.gov
Telephone: (202) 741–5770
Facsimile: (202) 741–5769
Toll free telephone: (877) 684–6448



I have directed the staff to complete the response to your FOIA request under the standard process, and you should receive the response by today, October 10, 2018. Thank you for your interest in the Commission.

Sincerely,

Joseph Heck
Chairman