Dynamic Content - Highest Possible Classification: TOP SECRET//SI/TK//NOFORN

TIER Tracking Information and Enterprise Response

Action Details

Duplicate Action

Reopen Action

Closed By: (Not Specified) on September 17, 2012 at 7:59 AM

Classification: UNCLASSIFIED//FOUO

Lead COMM-IMSO-FOIA-Tracker

Organization:

2012-03140 - F12-0120 - Initial Search

Action Title: and Review - Documents relating to

NRO000-01-C-0313 - KBR

FOII:

DOII:

Assigned By: COMM-IMSO-FOIA-

Tracker

POC:

Date Due: 9/5/2012 (View Change History)

(b)(3) 10 USC [⊥] 424

Assigned To: BPO-IART-REC-

MGMT-TRACKER
Contracts-IART-Tracker
MSO-IART-Tracker
OSL-IART-Tracker

FYI: COMM-IMSO-

FOIA-Tracker

(b)(3) 10 USC $^{\perp}$ 424

Description: What needs to be done? (U//FOUO) Search and intitial review for documents responsive to a request under the FOIA for documents relating to NRO000-01-C-0313, between NRO and Kellogg Brown Root Services, Inc., for the EPF at Cape Canaveral Air Force

Station, as detailed in items #1 through #13 in the attached request.

Why it needs to be done? (U) The FOIA, 5 USC S 522, as amended.

- (U) This is a COMMERCIAL requester. Please be sure to document all information regarding search time/methods and review time on the attached CASE WORKSHEET.
- (U) As an interim release, the IART is providing this requester with copies of previously released documents from Case #F09-0149. These documents are provided for your reference. We do not need additional copies of these documents as part of your response *unless* some portions of the previously-released documents are included as attachments to newly-discovered documents.

(b)(3) 10 USC [⊥] 424 11/8/2016

Attachments:

- 1) Request with attachments Please read the request carefully for case specifics
- 2) Related previously-released documents, being provided to this requester as an interim response.
- 3) Case Worksheet for recording all search/review details.

Comments:	: 09/17/2012 07:59 Action closed; a new TIER action v processing of this case Submitted by:	vill be initiated for any further
	08/28/2012 09:17 8/28/2012 - Suspense date change search time/page count estimates.	ed to allow OSL time to compile
	08/24/2012 11:36 (U) Changed suspense date to ac MS&O action Submitted by:	commodate additional
	08/24/2012 10:03 Changed FYI info. Submitted by:	(b)(3) 10 USC [⊥] 424
	08/21/2012 15:04 Added and action information Submitted by:	to FYI, for access to
	08/14/2012 15:43 Action forwarded to Office of Gene Submitted by:	ral Counsel, as requested.
	07/31/2012 09:57 Suspense date changed to 14 Aug Submitted by:	ust 2012.
	07/31/2012 09:51 (U) Based on initial consultation w request MS&O, BPO/OSQ and OSL conduct search with the instructions provided in this action Submitted by:	ith the Office of Contracts, the IART nes/initial reviews in accordance
	07/27/2012 16:47 Submitted by:	
	More	
Attachments:	 1)F12-0120 Request w Attachments.pdf 3)F12-0120 INITIAL CASE WORKSHEET.xfdl 2)Previously released F09-0149 KBR-Sanders cont 2994-US94-SC-014.pdf 	ract docs NRT-000-01-0313 304-
	Created By:	USA CTR on July 27, 2012 at 4:47 PM (b)(3) 10 USC [⊥] 424
Response	Status	

Date Due Assigned To Date Assigned Status Response Responded Attachments Details

09/05/2012 BPO-IART-REC- MGMT-TRACKER	07/31/2012	Accepted	Final: Other	1	Click to View
09/05/2012 Contracts-IART- Tracker	07/27/2012	Accepted	Final: Other	1	Click to View
09/05/2012 MSO-IART-Tracker	07/31/2012	Accepted	Final: Other	0	Click to View
09/05/2012 OSL-IART-Tracker	07/31/2012	Pending	Final: Other	8	<u>Click to</u> View

Sub-Actions / Forwards

TIER - Action Details

09/05/2012

No Subordinate Assignments available.

Duplicate Action Reopen Action

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Page 3 of 3

(b)(3) 10 USC $^{\perp}$ 424

(b)(3) 10 USC $^\perp$ 424

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08/14/2012 Pending

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Dynamic Content - Highest Possible Classification: TOP SECRET//SI/TK//NOFORN

CASE WORKSHEET

. CASE INFORMATION				
1. CASE NUMBER: F12-0120	2. CASE OFFICER:		3. SUSPENSE DATE: 14 Aug 20	12(b)
4. TYPE OF REVIEW: ✓ FREEDOM OF INFORMATION ACT PRIVACY ACT MANDATORY DECLASSIFICATION		5. TYPE OF REQUEST: INITIAL APPEAL COORDINATION REFERRAL	All (b)(3) redactions on t pursuant to 10 USC 424	
6. TASK THE FOLLOWING OFFICES: AS&T COMM AST/STG EEO BPO GED BPO/Contracts IG CIO IMINT	MOD MSD MS&O MS&O MS&O/IART OGC	OSC/OCC OS&CI/Counterintelli OS&CI/Policy OS&CI/PSD OSL	□ SED gence □ SIGINT ☑ OTHER: BPO/OSC	(b)(
FEE CATEGORY: 🗸 COMMERCIAL	NEWS MEDIA/EDUCATION	AL/SCIENTIFIC OTHER	?	
Please review for release any document(s) found proposed release or non-concurrence with reason exemptions. See Exemptions page. COMPONENT RESPONSE 1. RECORDS FOUND: VES NO				
SEARCH HOURS	REVIEW HOURS	SEARCH METHOD		
2. IS 2-4; GS 03-08; E1-E9 GS/M 09-15; 01-06 GS/M 16 & Above; 07-010		ALL EMPLOYEES LECTRONIC DATABLE HARDCOPY RECOR IMOA/TRIM (NRO RE		
3. ACTION RECOMMENDED: GRANT IN FU	JLL GRANT IN PAR	T DENY GLON	IAR	
4. REMARKS/COMMENTS: (If additional space is needed Per BPO/OSC and BPO/Records Managarchived documents related FOIA F12-0120 responsive archived documents. Search was Management). ***This Action is closed***	ement conducted a thord . BPO/OSC located s conducted by		ectronic records , paper files and nd BPO Records Management foun (BPO/Records	d no (b
I. IAO APPROVAL				
1. NAME: (Type or print full na	me)			(b
2. SIGNATURE:	DAT	E:		(b
CL BY: CL REASON: DECL ON: DRV FROM: NP11-31, MAR 11 (DS-EF)		FIED/ /FOUO ately When Filled In	OPR: MS&O/ PAGE 1 OF 2 PREVIOUS EDITIONS ARE OBS	(b)(

CASE WORKSHEET (Continued)

EXPLANATION OF EXEMPTIONS

The designation "(b)(1)" applies to information which is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy (EO 12958 and DoD Reg 5200.1-R).

Sec 1.4 Classification Categories:

Information may NOT be considered for classification unless it concerns:

- a) military plans, weapons systems, or operations;
- b) foreign government information;
- c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
- d) foreign relations or foreign activities of the United States including confidential sources;
- e) scientific, technological, or economic matters relating to the national security;
- f) United States Government programs for safeguarding nuclear materials or facilities;
- g) vulnerabilities or capabilities of systems, installations, projects or plans relating to national security.
- h) weapons of mass destruction.

The designation "(b)(2)" applies to information which pertains solely to the internal rules and practices of an agency; this exemption has two profiles, "high" and "low". The "high" profile permits withholding of a document which, if released, would allow circumvention of an organization rule, policy, or statute, thereby impeding the agency in the conduct of its mission. The "low" profile permits withholding if there is no public interest in the document, and it would be an administrative burden to process the request.

The designation "(b)(3)" applies to information specifically exempted by a statute establishing a particular criteria for withholding. The language of the statute must clearly state that the information will not be disclosed.

The designation "(b)(4)" applies to information such as trade secrets and commercial or financial information obtained from a company on a privileged or confidential basis which, if released, would result in competitive harm to the company.

The designation "(b)(5)" applies to inter-agency and intra-agency memoranda which are deliberative in nature; this exemption is appropriate for internal documents which are part of the decision making process and contain subjective evaluations, opinions, and recommendations.

The designation "(b)(6)" applies to information release of which could reasonably be expected to constitute a clearly unwarranted invasion of the personal privacy of individuals.

The designation "(b)(7)" applies to records or information compiled for law enforcement purposes and that (a) could reasonably be expected to interfere with law enforcement proceedings; (b) would deprive a person of a right to a fair trial or impartial adjudication; (c) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of others; (d) could disclose the identity of a confidential source; (e) could disclose investigative techniques and procedures; or (f) could reasonably be expected to endanger the life or physical safety of an individual.

The designation "(b)(8)" applies to matters that are "contained in or related to examination, operating, or condition reports prepared by on behalf of or for use of any agency responsible for the regulation of supervision of financial institutions. (Not used by the NRO.)

The designation "(b)(9)" applies to geological information and data, including maps, concerning wells. (Not used by the NRO.)

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In

Approved for Release: 2017/12/01 C05101120

PAGE 2 OF 2

NP11-31, MAR 11 (DS-EF) EXEMPTIONS

Dynamic Content - Highest Possible Classification: TOP SECRET//SI/TK//NOFORN

TIER Tracking Information and Enterprise Response	
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Action	Res	ponse
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Back to Action

*Classification:	UNCLASSIFIED//FOUO	
Action Title:	2012-03140 - F12-0120 - Initial Search and Review - Documents relating to NRO000-01-C-0313 - KBR	
From:	BPO-IART-REC-MGMT-TRACKER	
To:	COMM-IMSO-FOIA-Tracker	
FYI:		(b)(3)
Response:	Final: Other	
Response Details:	08/10/2012 14:41 BPO/OSC located 11 responsive documents which can be found at:	(b)(3)
	BPO Records Management conducted an IMOA search and was unable to locate any responsive documents.	
	This action is now closed Submitted by:	(b)(3)
Documents:	① 3)F12-0120 INITIAL CASE WORKSHEET.xfdl	
Status:	Response has been accepted	
Comments:	08/10/2012 17:02	
	Thank you! We appreciate your assistance!	(b)(3)
	Submitted by:	(b)(3)
All (b)(3) red 10 USC 424	dactions on this page pursuant to Back to Action	
Fo	For additional help using this tool, please see the User Guide or technical difficulties, please contact the MSC Operations Center - Hotline:	(b)(3)
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_	Page contains dynamic content and may not be used as a source of derivative classification. Dynamic Content - Highest Possible Classification: TOP SECRET//SI/TK//NOFORN	

(b)(3)

CASE WORKSHEET

I. CASE INFORMATION					
1. CASE NUMBER: <u>F12-012</u>	2.	CASE OFFICER:		3. SUSPENSE DATE: 10 Aug 201	2 (b)(3
4. TYPE OF REVIEW: FREEDOM OF INFORM PRIVACY ACT MANDATORY DECLASS			5. TYPE OF REQUEST: INITIAL APPEAL COORDINATION REFERRAL		
	COMM EEO GED IG IMINT COMMERCIAL y document(s) found in		of Information Act request. Mar	OTHER:k either your concurrence with the	
exemptions. See Exemption	ns page.	g or justification. Reas	soning or justification must be su	pported by one of the nine FOIA	
COMPONENT RESPONSE RECORDS FOUND:	YES NO				
2. IS 2-4; GS 03-08; E1-E9 GS/M 09-15; 01-06 GS/M 16 & Above; 07-010	3	1.5	SEARCH METHOD ALL EMPLOYEES ELECTRONIC DATABA HARDCOPY RECORD IMOA/TRIM (NRO REC TECHNICAL (SUBJECT OTHER:	S HOLDINGS ORDS CENTER)	
3. ACTION RECOMMENDED:					l (b)(3) (b)(5)
4. REMARKS/COMMENTS: (If a Hard copy documents wi	All be provided.	(b)(3) redaction	ns on this page pursuar	nt to 10 USC 424	(b)(3)
2. SIGNATURE:	(Type or print full name		TE:		(b)(3)
CL BY: CL REASON: DECL ON: DRV FROM:			IFIED/ /FOUO-	OPR: MS&O PAGE 1 OF 2 PREVIOUS EDITIONS ARE OBS	(b)(3)

Approved for Release: 2017/12/01 C05101120

Classify Appropriately When Filled In

RCS: 1801-1

NP11-31, MAR 11 (DS-EF)

CASE WORKSHEET (Continued)

EXPLANATION OF EXEMPTIONS

The designation "(b)(1)" applies to information which is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy (EO 12958 and DoD Reg 5200.1-R).

Sec 1.4 Classification Categories:

Information may NOT be considered for classification unless it concerns:

- a) military plans, weapons systems, or operations;
- b) foreign government information;
- c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
- d) foreign relations or foreign activities of the United States including confidential sources;
- e) scientific, technological, or economic matters relating to the national security;
- f) United States Government programs for safeguarding nuclear materials or facilities;
- g) vulnerabilities or capabilities of systems, installations, projects or plans relating to national security.
- h) weapons of mass destruction.

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The designation "(b)(7)" applies to records or information compiled for law enforcement purposes and that (a) could reasonably be expected to interfere with law enforcement proceedings; (b) would deprive a person of a right to a fair trial or impartial adjudication; (c) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of others; (d) could disclose the identity of a confidential source; (e) could disclose investigative techniques and procedures; or (f) could reasonably be expected to endanger the life or physical safety of an individual.

The designation "(b)(8)" applies to matters that are "contained in or related to examination, operating, or condition reports prepared by on behalf of or for use of any agency responsible for the regulation of supervision of financial institutions. (Not used by the NRO.)

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UNCLASSIFIED/#FOUO

Approved for Release: 2017/12/01 C05101120

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PAGE 2 OF 2

NP11-31, MAR 11 (DS-EF) EXEMPTIONS

Dynamic Content - Highest Possible Classification: TOP SECRET//3I/TK//NOFORN

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			Back to Action

Action Response	Act	ion	Res	pon	se
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Action Resp	onse	
[*] Classification:	UNCLASSIFIED/#FOUO	
Action Title:	2012-03140 - F12-0120 - Initial Search and Review - Documents relating to NRO000-01-C-0313 - KBR	
From:	MSO-IART-Tracker	
To:	COMM-IMSO-FOIA-Tracker	
FYI:	OSL-Tracker	
Response:	Final: Other	
Response Details:	08/28/2012 08:33 (U) Please relay to OSL reps that D/MS&O approves the release of all documents related to this FOIA request Submitted by CTR	(b)(3)
	08/16/2012 11:43	
	(U) Please see attached.	
	Submitted by:	(b)(3)
Documents:	All (b)(3) redactions on this page p to 10 USC 424	oursuant
Status:	Response has been accepted	
Comments:	08/28/2012 09:09 Thank you. We will convey this to OSL-IART-Tracker Submitted by:	(b)(3)
	08/24/2012 10:11 (U) OSL's response to this action indicates that they were instructed by Mr. Malone to stand down on the search for records; OSL deferred to MS&O in their response and provided no responsive documents. The MS&O response indicates that MS&O holds no responsive records, but that OSL might be a likely source for responsive documents. (U) It appears that some internal MS&O communications may have crossed during this process It would be most helpful if we could get verification of the MS&O "no records" response, and get some details on any communications between MS&O and OSL with regard to this case.	
	(U/ /FOUO) Please feel free to contact and if you wish to discuss this.	(b)(3)
	Thank you.	
	Submitted by:	(b)(3)
	08/16/2012 12:06 Thank you Submitted by:	

Less...

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	Dynamic Content - Highest Possible Classification: TOP SECRET//SI/TK//NOFORN Tacking Information and Enterprise Response TIONAL RECONNAISSANCE OFFICE	
Action Resp	onse Back to Action	
*Classification:	UNCLASSIFIED	
Action Title:	2012-03140 - F12-0120 - Initial Search and Review - Documents relating to NRO000-01-C-0313 - KBR	
From:	Contracts-IART-Tracker	
To:	COMM-IMSO-FOIA-Tracker	
FYI:		
Response:	Final: Other	
Response Details:	08/14/2012 15:13 Case worksheet attached. Hard copy documents ready to be picked up Submitted by:	(b)(3
Documents:	10 3)F12-0120_INITIAL_CASE_WORKSHEET_OC.xfdl	
Status:	Response has been accepted	
Comments:	08/15/2012 11:39 Thank you! Submitted by:	(b)(3
	Back to Action	
Fo	For additional help using this tool, please see the User Guide or technical difficulties, please contact the MSC Operations Center - Hotline:	(b)(3
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Action Response

Back to Action

*Classification: UNCLASSIFIED

Action Title: 2012-03140 - F12-0120 - Initial Search and Review - Documents relating to NRO000-01-C-

0313 - KBR

From: OSL-IART-Tracker

To: COMM-IMSO-FOIA-Tracker FYI: OSL-CONTRACTS-Tracker

OSL TRACKER

(b)(3) 10 USC $^\perp$ 424

Response: Final: Other

Response Details:

09/06/2012 10:30 -- To satisfy the legal responsibilities set forth under FOIA, on behalf of OSL and as the OSL records manager, key word searches were conducted in OSL SharePoint, OSL LaunchLink, and in a personal shared drive/physical office area. The following results are provided. Some portions there of or the complete record found when conducting the search should be accounted for within the official hardcopy contract file (01-C-0313) - ownership transferred from OSL to MS&O in May 2010 and included approximately 9 boxes of hardcopy contract-related records.

OSL SharePoint key word search results:

71 found documents using a "KBR government infrastructure" search string (Attachment 1)

242 found documents using an "EPF cost design" search string (Attachment 2) OSL LaunchLink key word search results:

59 found documents using a "KBRS G&I" search string (Attachment 3) 311 found documents using a "KBR award fee" search string (Attachment 4) 14 found documents using a "KBRS G&A May 2002 – May 2010" search string (Attachment 5)

117 found documents using an "Estimates of cost to design, construct, and/or complete the project" search string (Attachment 6)

20 found documents using a "DOCCC Watch List" search string (Attachment 7) 12 found documents using a "costs incurred and/or projected to be incurred for the project" search string (Attachment 8)

Personal shared drive/physical office search results:

Approximately 400+ documents (hardcopy and electronic records) to include EPF-related project proposals, requirements letters, COTR files, DD250s, KBR self-assessments, CLIN billings, e-mails, award fee briefings, vouchers, etc.

Cumu	ative hours spent to	date just on s	s <u>earch</u> ing for documents r	esponsive to this				
reques	st total approximatel	y 9 hours from	Thanks for your pa	atience in answering]			
this ac	tion! Submit	ted by:		(b)(3) 10 USC [⊥] 424			
					,			
08/14/	08/14/2012 15:42 Per direction from the Director, MS&O, OSL defers to the NRO							
Office,	of Contracts and MS	3&O for respo	nse. Additionally, informa	<u>tion can be provide</u>	d			
by the		Thanks!	Submitted by:					

Less...

CTR

Documents:

- 0 2012-03140-3 F12-0120 TIER on KBR Attachment 1.pdf
- 0 2012-03140-3 F12-0120 TIER on KBR Attachment 2.pdf
- © 2012-03140-3 F12-0120 TIER on KBR Attachment 3.pdf
- © 2012-03140-3 F12-0120 TIER on KBR Attachment 5.pdf
- © 2012-03140-3 F12-0120 TIER on KBR Attachment 6.pdf
- 2012-001-00-01 12-0120 FIER OF REIX Attachment o.par
- 2012-03140-3 F12-0120 TIER on KBR Attachment 4.pdf
 2012-03140-3 F12-0120 TIER on KBR Attachment 7.pdf
- © 2012-03140-3 F12-0120 TIER on KBR Attachment 8.pdf

Status: Response has been made

Comments:

08/28/2012 00:14 -- In response to an IART request to MS&O for clarification on the $\underline{\text{More...}}$

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(b)(3) 10 USC [⊥] 424 11/8/2016

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Action **Details** **Duplicate Action**

Reopen Action

Closed By: (Not Specified) on December 10, 2012 at 4:27 PM

Classification: UNCLASSIFIED/#FOUO

Lead COMM-IMSO-FOIA-Tracker

Organization:

2012-04300 - FOIA Initial Search & **Action Title:**

Review - F12-0120 - NRO/KBR re:EPF

FOII:

DOII:

Assigned By: COMM-IMSO-FOIA-

Tracker

POC:

Date Due: 11/5/2012 (View Change History)

(b)(3)

Assigned To: OSL-IART-Tracker

FYI: COMM-

IMSO-FOIA-Tracker All (b)(3) redactions on this page pursuant

to 10 USC 424

Description: What needs to be done? (U) Search and intitial review for documents responsive to a request under the FOIA for documents relating to NRO000-01-C-0313, between NRO and Kellogg Brown Root Services, Inc., for the EPF at Cape Canaveral Air Force Station, as detailed in items #1 through #13 in the attached request.

> (U) Please note: Search for responsive documents was initiated in TIER Action 2012-03140. The requester has agreed to the fee estimates provided (see attachment 2) and we are now required to resume the actual search for potentially responsive documents.

Attachment 1 is the actual 13-part request for records

Attachment 2 is the NRO fee estimate to the requester, and the requester's acceptance and authorization to continue processsing

Attachment 3 is a copy of previously-released related documents; the IART does not need additional copies of these documents.

Why it needs to be done? (U) FOIA, 5 U.S.C. Sec 522, as amended.

Comments:

12/10/2012 16:27 -- Initial search completed. -- Submitted by:

CTR

(b)(3)

(b)(3)

Attachments: 🕕	ATT1)F12-0120	Request w	Attachments.pdf
Attachments: 🕕	ATT1)F12-0120	Request w	Attachments.pdf

- © ATT3)Previously released F09-0149 KBR-Sanders contract docs NRT-000-01-

0313 304-2994-US94-SC-014.pdf

Created By:	on October 15, 2012 at 3:02 PM	(b)(3)

Response Status

Date Due	Assigned To	Date Assigned	Status	Response	Date Responded	Attachments	Details
11/05/2012	OSL-IART- Tracker	10/15/2012	Accepted	Final: Other		0	Click to View

Sub-Actions / Forwards

No Subordinate Assignments available.

		incopon venon
For additional help using this tool, please see th	e User Guide	

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All (b)(3) redactions on this page pursuant to 10 USC 424

Duplicate Action | Reopen Action

(b)(3)

Dynamic Content - Highest Possible Classification. TOP SECRET//3I/TK//NOFORM Tracking Information and Enterprise Response NATIONAL RECONNAISSANCE OFFICE Back to Action **Action Response** *Classification: UNCLASSIFIED **Action Title:** 2012-04300 - FOIA Initial Search & Review - F12-0120 - NRO/KBR re:EPF From: OSL-IART-Tracker COMM-IMSO-FOIA-Tracker FYI: Response: Final: Other Response 10/31/2012 16:19 -- As per discussions with IART, we (OSL) are in the process of Details: coordinating and completing the respective FOIA Request directly with the IART staff. We have been given access to the IART review folder for electronic records and will be sending hardcopy records directly to your office. Upon shipping of the hardcopy records, we will draft a letter stipulating that those records are the only copy. Transfer to MS&O for ownership is under consideration at this time as well. Please contact if you have any questions. Thanks (b)(3)Submitted by: **Documents:** Status: Response has been accepted Comments: 12/10/2012 16:27 -- Soft copy & hard copy documents have been received in the IART. Additional taskings may be forthcoming for document reviews as this case progresses. --Submitted by: (b)(3)

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(b)(3)