



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

May 21, 2025
Ref: DODOIG-2025-000963

SENT VIA EMAIL TO: shelbystartz@outlook.com
Mr. Sherman Startz

Dear Mr. Startz:

This responds to your Freedom of Information Act (FOIA) request for confirmation of referral and copies of transmittals to the Army pertaining to complaint 20230213-083550. We received your request on May 19, 2025, and assigned it case number DODOIG-2025-000963.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

The Administrative Investigations Component and the Department of Defense Hotline conducted searches and located records responsive to your request. In order to provide you with the greatest possible access to the responsive records, your request was processed under both the Privacy Act of 1974 (5 U.S.C. § 552a) and the FOIA (5 U.S.C. § 552). However, we have determined that the records responsive to your request are exempt from the access provisions of the Privacy Act. See 32 C.F.R. Part 310. For this reason, we have processed your request under the FOIA.

Upon review, we determined that the enclosed six pages are appropriate for release in part pursuant to the following FOIA exemptions:

- (b)(5), which pertains to certain inter-and intra-agency communications protected by the deliberative process privilege. The purpose for withholding such recommendations is to encourage the free and candid exchange of opinions and advice during the decision-making process. In applying the foreseeable harm standard, we determined that disclosure of this information is likely to diminish the candor of agency deliberations in the future;
- (b)(6), which pertains to information, the release of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7)(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy; and
- (b)(7)(E), which protects sensitive law enforcement information that could reasonably be expected to risk circumvention of the law.

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Our review included consideration of the foreseeable harm standard, as stated in DoDM 5400.07. Under this standard, the content of a particular record should be reviewed and a determination made as to whether the DoD Component reasonably foresees that disclosing it, given its age, content, and character, would harm an interest protected by an applicable exemption.

If you consider this an adverse determination, you may submit an appeal. Your appeal, if any, must be postmarked within 90 days of the date of this letter, clearly identify the determination that you would like to appeal, and reference to the FOIA case number above. Send your appeal via mail to the Department of Defense, Office of Inspector General, ATTN: FOIA Appellate Authority, Suite 10B24, 4800 Mark Center Drive, Alexandria, VA 22350-1500, via email to foiaappeals@dodig.mil, or via facsimile to 571-372-7498. However, please note that FOIA appeals can only examine adverse determinations concerning the FOIA process. For more information on appellate matters and administrative appeal procedures, please refer to 32 C.F.R. Sec. 286.9(e) and 286.11(a).

You may contact our FOIA Public Liaison at FOIAPublicLiaison@dodig.mil, or by calling 703-604-9785, for any further assistance with your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road—OGIS, College Park, MD 20740-6001, email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. However, OGIS does not have the authority to mediate requests made under the Privacy Act of 1974 (request to access one's own records).

If you have any questions regarding this matter, please contact our office at 703-604-9775 or via email at foiarequests@dodig.mil.

Sincerely,



Searle Slutzkin
Division Chief
FOIA, Privacy and Civil Liberties Office

Enclosures:
As stated

From: (b)(7)(E) @dodig.mil
To: ISS; (b)(6), (b)(7)(C) @mail.mil; (b)(6), (b)(7)(C) @army.mil; (b)(6), (b)(7)(C) @army.mil;
(b)(6), (b)(7)(C) @army.mil
Subject: (U//CUI) 20230213-083550-CASE-03 P2 Info Referral - DOWNLOAD REQUIRED (b)(6), (b)(7)(C)
Date: Sunday, May 7, 2023 4:01:55 PM



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DOD CASE REFERRAL

1. FROM	2. TO	3. PRIORITY	4. CASE NO.
Agency: DoD OIG	Agency: Army	<input type="checkbox"/> Priority 1 - Emergency	20230213-083550-CASE-03
	Sub-Agency: CID	<input type="checkbox"/> Priority 1	5. REFERRAL DATE
Sub-Agency: Hotline	Sub-Activity:	<input checked="" type="checkbox"/> Priority 2	5/7/2023
		<input type="checkbox"/> Priority 3	6. SUSPENSE DATE
			N/A

7. INDEPENDENCE

In all matters relating to investigative work, the investigative organization must be free, both in fact and appearance, from impairments to independence; must be organizationally independent; and must maintain an independent attitude. This standard places upon agencies; audit, inspection, and investigative organizations; and individuals assigned to conduct inquiries the responsibility for maintaining independence, so that findings, judgments, conclusions, and recommendations will be impartial and will be viewed as impartial by knowledgeable third parties. **If your organization's independence is impaired, in fact or appearance, take no investigative actions and contact the DoD Point of Contact for this Referral (Item 11 below) immediately.**

8. REFERRAL

	a. ACTION REFERRAL. The attached complaint is referred to your Component for ACTION. Conduct an inquiry and provide this office a DoD Hotline Completion Report by the suspense date in Item 6 above. If more time is needed, submit a written extension request to the DoD Hotline Point of Contact for this Referral (Item 11 below) before the suspense date stating the reason for the delay and the anticipated completion date.
X	b. INFORMATION REFERRAL. The attached complaint or disagreement is referred to your Component for INFORMATION. The DoD Component Hotline Coordinator is required to examine the referral to determine if an inquiry is warranted; however, a DoD Hotline Completion Report is not required unless your Component conducts an inquiry resulting in substantiated allegations.
	c. EVALUATE and recommend an appropriate course for the attached complaint. <input type="checkbox"/> Case accepted for Action <input type="checkbox"/> Refer this matter to the following organization(s): <input type="checkbox"/> Other. (Explain in 8d.)
	d. OTHER remarks:

9. ADDITIONAL INFORMATION

	a. SUPPLEMENT. Supplement to previous referral under this case number.
	b. IDENTITY OF THE SOURCE <input type="checkbox"/> Anonymous source. <input type="checkbox"/> The source did not consent to the disclosure of his or her identity. If you need the source's help during an investigation, contact the DoD Point of Contact for this Referral (Item 11 below).
X	c. RETALIATION COMPLAINT. This case is not being sent to you for the retaliation matter. For questions about the retaliation matter, contact the Whistleblower Reprisal Investigations Directorate.
	d. DOD SENIOR OFFICIALS. This case is NOT being sent to you for the senior official matter. In the event you develop a credible allegation of senior official misconduct, you must notify DoD OIG Directorate for Investigation of Senior Officials, IAW DoDD 5505.06.

Controlled by: DoD OIG
 Controlled by: Administrative Investigations, DoD Hotline
 CUI Category: PRIIG/INV/WHSTL
 Distribution/Dissemination Controls: FEDCON
 POC: 1-800-424-9098

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10. REFERRAL REMARKS (Use Referral Remarks Continuation Sheet if needed)

Allegations of (b)(5) in the attached document are referred to your component for information and action deemed appropriate. Carefully review the document for allegations warranting investigation. An HCR must be submitted for substantiated allegations that result from an information case referral. Questions pertaining to the information that has been referred should be directed via your assigned Hotline Coordinator at your DoD Component.

Case-01 DCIS/closed

Case-02 WRI/closed

Case-03 CID/info

Case-04 non ref/error

Case-05 DAIG/info

11. DOD HOTLINE POINT OF CONTACT FOR THIS REFERRAL

a. NAME	b. TELEPHONE	c. E-MAIL ADDRESS
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) @dodig.mil

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From: (b)(7)(E) @dodig.mil
To: ISS; (b)(7)(E) @army.mil
Subject: (U//CUI) 20230213-083550-CASE-05 P3 Info Referral - DOWNLOAD REQUIRED
Date: Sunday, May 7, 2023 4:07:13 PM



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