

The James Madison Project
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12 May 2008

Alesia Williams
Chief, FOIA Staff, DAN-1A
Defense Intelligence Agency
Building 6000
Washington, DC 20340-5100

Re: FOIA Request – Legal contractors

Dear Ms. Williams:

This is a request on behalf of the James Madison Project under the Freedom of Information Act, 5 U.S.C. § 552, et seq., for copies of all Defense Intelligence Agency (“DIA”) records in the following categories:

- 1) Current contracts between DIA and private contracting firms under which the firms supply personnel to the Office of the General Counsel (“OGC”) and the Freedom of Information Act/Privacy Act Office (“FOIA/PA Office”), specifically identifying the firm by name, the nature of the personnel to be provided, the duration of the contract, and all other terms of the service contract. For the purposes of this sub-paragraph, only contracts between DIA and contracting firms are requested; this sub-paragraph should not be interpreted as a request for individual contracts of service between DIA and individual contract personnel.
- 2) Internal DIA documents pertaining to the method by which DIA evaluates contractors, awards contracts, and allocates projects to contractors, including but not limited to any official guidelines regarding these practices.

If you deny all or part of this request, please cite the specific exemptions you believe justify your refusal to release the information or permit the review and notify us of your appeal procedures available under the law. In excising material, please “black out” rather than “white out” or “cut out.”

“Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power knowledge gives.”

James Madison, 1822

We are hereby requesting a waiver of all fees. The James Madison Project is a non-profit organization under the laws of the District of Columbia and has the ability to disseminate information on a wide scale. Stories concerning our activities have received prominent mention in many publications including, but not limited to, *Washington Post*, *Washington Times*, *St. Petersburg Tribune*, *San Diego Union Tribune*, *European Stars & Stripes*, *Christian Science Monitor*, *U.S. News and World Report*, *Mother Jones* and *Salon Magazine*. Our website, where much of the information received through our FOIA requests is or will be posted for all to review, can be accessed at <http://www.jamesmadisonproject.org>. Prior requests submitted by our organization have all received fee waivers.

Furthermore, there can be no question that the information sought would contribute to the public's understanding of government operations or activities and is in the public interest. The public trusts in the OGC to provide the highest caliber of legal support to the DIA and the FOIA/PA Office to use the best legal expertise to adjudicate FOIA/PA requests. However, there is paradoxically little public information regarding the ongoing practice of "outsourcing" of employment positions by the DIA to private contractors. Records detailing the methodology and criteria by which such contracts are evaluated, awarded and allocated, as well as identifying the specific contractors involved and the nature and terms of their contracts, will clearly contribute to the public's understanding of government operations or activities.

Please respond to this request within 20 working days as provided for by law. Failure to timely comply may result in the filing of a civil action against your agency in the United States District Court for the District of Columbia. Your cooperation in this matter would be appreciated. If you wish to discuss this request, please do not hesitate to contact Kel McClanahan at KellyBMcC@gmail.com or 301-728-5908.

Finally, please have all return correspondence addressed specifically to my attention to ensure proper delivery.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark S. Zaid for". The signature is fluid and cursive.

Mark S. Zaid
Executive Director

MSZ/km

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