



DEPARTMENT OF THE AIR FORCE  
WASHINGTON DC

OFFICE OF THE GENERAL COUNSEL

OCT - 6 2014

SAF/GCA  
1740 Air Force Pentagon  
Washington DC 20330-1740

Frank Vera III  
[REDACTED]  
[REDACTED]

Dear Mr. Vera

This letter replies to your 4 April 2012 appeal (Number 2012-00087-A) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. I have been delegated the responsibility to conduct the Office of the Secretary of the Air Force review in your case. I have considered your appeal and determined that it should be denied.

Your 3 January 2012 request asked for the same information for which you had asked in two items of your 3 January 2011 request, i.e. an investigation by SA [REDACTED] of your possible exposure to CBRN material and possible CBRN material at George AFB, CA. The slight differences in the wording of the two requests are insufficient to change this conclusion. Thus your February 2012 request meets the standard of DOD 5400.7-R AFMAN 33-302, Freedom of Information Act Program, paragraph C5.2.2.8. It provides that one reason for not complying with a request is that the *"request is a duplicate request (e.g., a requester asks for the same information more than once). This includes identical requests received via different means (e.g., electronic mail, facsimile, mail, courier) at the same or different times."* (Italics in original.)

That you submitted the requests to different offices does not change the fact that you asked for the same information. Likewise, the limited additional new information from Mr. [REDACTED] relating to his recollection of the investigation, his former AFOSI Detachment and supervisor, and his current contact information did not change the substance of your two requests with respect to the information for which you asked.

This constitutes the final Air Force action on your appeal. The Freedom of Information Act, 5 U.S.C. § 552, provides for judicial review of this determination.

Sincerely

David L. Thomas  
Assistant Deputy General Counsel  
(Fiscal, Ethics and Administrative Law)

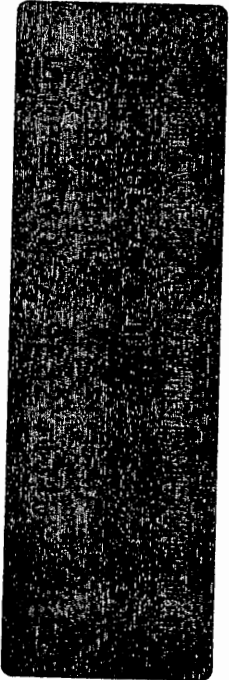


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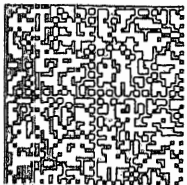
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