



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
(202) 804-7000
www.osc.gov

August 24, 2026

Jeff Ruch
311 Oak St, #734
Oakland, CA 94607

Sent via email to: jruch@peer.org; shilzendeger@peer.org

Re: OSC Freedom of Information Act and/or Privacy Act Request (#FOIA-2026-119)

Dear Jeff Ruch,

This letter is in response to your Freedom of Information Act (FOIA)/Privacy Act (PA) request dated June 17, 2026, which was received by the Office of Special Counsel (OSC) on the same date. You requested the following information under FOIA, 5 U.S.C. § 552 and PA, 5 U.S.C. § 552(a): (1) The number of such investigations OSC has conducted by year into allegations of arbitrary or capricious withholding of information prohibited under section 552, together with the identity of each agency the allegation concerns; and (2) Any summary of outcomes of such investigations, also broken down by year and agency. We are not interested in the name of the target of these investigations but are interested in the positions held by such individuals and whether the OSC investigation resulted in adverse consequences for those persons.

We do not bill requestors for FOIA processing fees, because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.49(a)(1). Therefore, there is no billable fee for the processing of this request.

OSC is an independent federal investigative and prosecutorial agency. Our primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially for whistleblowing. OSC conducted a search of its indices and found no documents responsive to your request. There is no obligation for OSC to create or compile a record to satisfy a FOIA or PA request. The FOIA and PA only apply to records in the agency's possession and control as of the date the agency began its search for responsive records.

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

If you disagree with this response, you may appeal this response to OSC's Office of General Counsel. If you choose to appeal, the General Counsel must receive your FOIA/PA appeal no later than 90 days from the date of this letter. Your appeal must be made in writing. You may submit

Dallas, TX Field Office
P.O. Box 793771
Dallas, TX 75379
Telephone: (214) 974-7075

Detroit, MI Field Office
P.O. Box 760395
Lathrup Village, MI 48076
Telephone: (313) 335-8085

San Francisco, CA Field Office
P.O. Box 170023
San Francisco, CA 94117
Telephone: (510) 598-2065

your appeal and accompanying materials to OSC's Office of General Counsel by mail, e-mail, or by using our OSC PAL link at <https://efoia.osc.gov/app/Home.aspx>. Please note that, if the original request was not submitted using our OSC PAL link, you must register in order to file an appeal. Please ensure to use the same email address you submitted when filing your initial FOIA request.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact) and email address in case the General Counsel needs additional information or clarification of your appeal. OSC's Office of General Counsel's Contact Information is the following:

The U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
Attn: Office of General Counsel

Telephone: 202-804-7000
Email: FOIAppeal@osc.gov

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Record Administration to inquire about mediation services they offer to resolve disputes between FOIA requestors and Federal Agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Facsimile: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the OSC's Office of General Counsel. However, should you need to contact me, my telephone number is 202-804-7023 and the email is FOIArequest@osc.gov.

Sincerely,

Shelsea Ramirez
Shelsea Ramirez



U.S. OFFICE OF SPECIAL COUNSEL

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September 16, 2026

Mr. Sean Hilzendeger

Via email: shilzendeger@peer.org

Re: Freedom of Information Act Request No (FOIA-2026-142)

Dear Mr. Hilzendeger:

This letter is in response to your Freedom of Information Act (FOIA)/Privacy Act (PA) request dated July 2, 2026, which was received by the Office of Special Counsel (OSC) on July 6, 2026. You requested the following information under FOIA, 5 U.S.C. § 552 and PA, 5 U.S.C. § 552a: "Public Employees for Environmental Responsibility (PEER) requests information regarding OSC execution of its duties under this section of law. Specifically, we request the number of such investigations initiated by OSC has conducted by year into allegations of arbitrary or capricious withholding of information prohibited by law under 5 U.S.C § 1216 (a) (3), together with the identity of each agency the allegation concerns; and any summary of outcomes of such investigations, also broken down by year and agency."

OSC is an independent federal investigative and prosecutorial agency. Our primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially for whistleblowing.

FOIA requires that agencies generally disclose records. Agencies may only withhold responsive records if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates; or (2) disclosure is prohibited by law. See 5 U.S.C. § 552(a)(8)(A)(i).

OSC conducted a search of its indices and found no documents responsive to your request. There is no obligation for OSC to create or compile a record to satisfy a FOIA or PA request. The FOIA and PA only apply to records in the agency's possession and control as of the date the agency began its search for responsive records.

If you disagree with this response, you may appeal this response to OSC's Office of General Counsel. If you choose to appeal, the General Counsel must receive your FOIA/PA appeal no later than 90 days from the date of this letter. Your appeal must be made in writing. You may submit your appeal and accompanying materials to OSC's Office of General Counsel by mail, email, or by using our OSC PAL link at <https://efoia.osc.gov/app/Home.aspx>. Please note that, if the original request was not submitted using our OSC PAL link, you must register in order to file an appeal. Please ensure to use the same email address you submitted when filing your initial FOIA request.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact) and email address in case the General Counsel needs additional information or clarification of your appeal. OSC's Office of General Counsel's Contact Information is the following:

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Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Record Administration to inquire about mediation services they offer to resolve disputes between FOIA requestors and Federal Agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

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Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Facsimile: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the OSC's Office of General Counsel.

However, should you need to contact me, my telephone number is 202-804-7070 and the email is FOIArequest@osc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Lawson', is positioned above the typed name.

Mr. Chauncey Lawson
FOIA Team
Complaints Review Division
U.S. Office of Special Counsel