



AMERICAN BATTLE MONUMENTS COMMISSION

November 5, 2015

Mr. Brian Siddall
P O Box 3897
Ithaca, NY 14852

Dear Mr. Siddall:

I am responding to your email of October 26, 2015 regarding the grave marker inscription of Sergeant John P. Ray, service number 34005401, interred at the Normandy American Cemetery and Memorial.

As stated in our letters of July 14 and September 30, 2015, a completed or perfected FOIA request needs to state the requestor's willingness to pay any applicable fees or provide sufficient justification to support a fee waiver. Your imperfect FOIA request does not include such a statement.

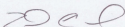
Additionally, requests for processing under the Freedom of Information Act must be in compliance with FOIA laws outlined in FOIA 5 United States Code Section 552, which generally requires federal agencies to make their records available to persons who make a proper request for them. A completed FOIA request must be in writing, reasonably describe the requested records, and indicate agreement to pay applicable fees. The FOIA is not a process for presenting questions or to otherwise obtain information, conversational content or requests for specific action to be taken by an agency of the U.S. government.

Contrary to the statements in the attachment accompanying your email, the program of permanent interment of U.S. World War II Dead, as well as the determination of the data to be inscribed on the grave markers at the overseas American military cemeteries, was carried out by the American Graves Registration Service of the Quartermaster General of the War Department, not this Commission.

As an independent civilian agency of the U.S. government, this Commission has no authority to change or correct military service records. Therefore, in the interest of determining Sergeant Ray's date of death, a request, to include your email and its enclosed narrative, have been sent to the Department of the Army Human Resources Command, Casualty and Mortuary Affairs Operations Center, 1600 Spearhead Division Ave., Fort Knox, KY 40122, which has executive authority over the World War II deceased personnel files, for a determination of SGT Ray's date of death. Based on the Department of the Army's findings, SGT Ray's grave marker will be changed if warranted.

You will be informed of the Department of Army's determination when received by this Commission.

Respectfully,

A handwritten signature in black ink, appearing to read 'T. Nosal', written in a cursive style.

Timothy Nosal
Chief, External Affairs
FOIA Officer

From: Nosal Timothy [mailto:nosalt@abmc.gov]
Sent: Thursday, August 18, 2016 2:30 PM
To: bnsiddall@gmail.com
Subject: John P. Ray Headstone

Mr: Siddall:

On behalf of Secretary Cleland, I am responding to your recent email. At the request of SGT Ray's widow, Mrs. Paula Ray Guidry, we at ABMC decided to return the original headstone to the gravesite. Mrs. Guidry first contacted us by phone when she heard of the headstone change and later by mail. A copy of her letter to ABMC is attached. Mrs. Guidry has endured much on behalf of our nation and we should not do anything that may further her grief. In this instance, we believe we have an obligation to honor the wishes of the surviving spouse. I trust that you will respect her perspective and reason for keeping the original headstone in place.

Sincerely,

Tim Nosal
Chief of External Affairs

American Battle Monuments Commission
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