



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

Ms. Emma Best
MuckRock News
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Somerville, MA 02144-2516
49319-20377174@requests.muckrock.com

Re: Appeal No. DOJ-AP-2018-004659
Request No. 1396779
SRO:JMB

VIA: Email

Dear Ms. Best:

You appealed from the action of the Federal Bureau of Investigation on your Freedom of Information Act request for access to records concerning the investigation of a 1970 leak at RAND Corporation. I have construed your appeal as concerning the adequacy of the search for responsive records conducted by the FBI in its response dated April 6, 2018.

After carefully considering your appeal, I am affirming the FBI's action on your request. By letter dated April 6, 2018, the FBI released to you 211 pages of previously processed responsive records. I have determined that the FBI's response was correct, and that it conducted an adequate, reasonable search for responsive records subject to the FOIA. You appear to be challenging the FBI's failure to search for additional records, but I note that you only agreed to receive your 100 free pages of records, and the FBI exceeded that by providing you with 211 pages of records. If you seek additional records regarding this subject, you may wish to make a new request to the FBI in which you agree to pay all applicable fees.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road,

College Park, Maryland 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. If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

9/28/2018

X 

Sean R. O'Neill

Chief, Administrative Appeals Staff

Signed by: OIP