



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

William Fernandes
411A Highland Avenue
DEPT MR 108613
Somerville, MA 02144

info@muckrock.com

Re: Appeal No. A-2022-00305
Request No. NSD FOIA #21-
073
CDT:MGS

VIA: Email - 11/23/2021

Dear William Fernandes:

You attempted to appeal from the failure of the National Security Division (NSD) of the United States Department of Justice to respond to your Freedom of Information Act request for access to certain records from the Criminal Justice Participation Assistance Fund and the last five Victim Impact Statements.

Department of Justice regulations provide for an administrative appeal to the Office of Information Policy only after there has been an adverse determination by a component. See 28 C.F.R. 16.8(a) (2020). As no adverse determination has yet been made by NSD, there is no action for this Office to consider on appeal.

As you may know, the FOIA authorizes requesters to file a lawsuit when an agency takes longer than the statutory time period to respond. See 5 U.S.C. 552(a)(6)(C)(i). However, I can assure you that this Office has contacted NSD and has been advised that your request is currently being processed. If you are dissatisfied with NSD's final response, you may appeal again to this Office.

This Office has forwarded a copy of your letter to NSD. You should contact NSD's Requester Service Center at (202) 233-2639 for further updates regarding the status of your request.

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,

A handwritten signature in blue ink, appearing to read "Christina..."

X

Christina D. Troiani,
Associate Chief, for Matthew Hurd, Chief,
Administrative Appeals Staff