



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

Telephone: (202) 514-3642

March 19, 2014

Mr. Eric M. Lapp
5307 Sheffield Avenue
Powell, OH 43065
ericlapp@fingerprintsolutions.com

Re: Appeal No. AP-2013-03851
Request No. 1211313
ADW:KRP

VIA: E-mail

Dear Mr. Lapp:

You appealed from the action of the Federal Bureau of Investigation on your request for a listing of certain public housing agencies.

After carefully considering your appeal, I am affirming the FBI's action on your request. Please be advised that the Freedom of Information Act does not require federal agencies to answer questions or create records in response to a FOIA request, but rather is limited to requiring agencies to provide access to reasonably described, nonexempt records. See *Students Against Genocide v. Dep't of State*, 257 F.3d 828, 837 (D.C. Cir. 2001). I have determined that the FBI's response was correct.

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,

Attachment 5a

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College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 301-837-1996; toll free at 1-877-684-6448; or facsimile at 301-837-0348.

Sincerely,

Sean R. O'Neill
Chief
Administrative Appeals Staff

By: *Anne D. Work*

Anne D. Work
Senior Counsel
Administrative Appeals Staff

Attachment 5b