



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

---

Telephone: (202) 514-3642

Reed Rubinstein

foia@aflegal.org

October 28, 2021

Re: Appeal No. A-2022-00183  
Request No. 22-00004-F  
MWH:EAH

**VIA: Online Portal**

Dear Reed Rubinstein:

You attempted to appeal from the failure of Civil Rights Division to respond to your request for expedited processing of your Freedom of Information Act request for access to records concerning the Attorney General's memorandum; the National School Board Association; and various communications from September 15, 2021 to the processing of the request.

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 the Civil Rights Division, there is no action for this Office to consider on appeal. Because the Civil Rights Division has not assessed any fees in connection with the processing of your request, there is no adverse fee determination for this Office to consider on appeal.

I note that you requested expedited treatment of your appeal. Because I am closing your underlying appeal within ten calendar days, your request for expedited treatment of this appeal is moot.

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,

X \_\_\_\_\_

Matthew Hurd, Chief, Administrative Appeals  
Staff