<u>Exhibit 4</u>

U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

September 7, 2023

Ryan P. Mulvey
Policy Counsel
Americans for Prosperity Foundation
RMulvey@afphq.org

     Re: **FOIA Tracking No. FY23-122**

Dear Mr. Mulvey:

This letter acknowledges receipt of your August 31, 2023 Freedom of Information Act ("FOIA") request to the Office of Legal Counsel ("OLC"), in which you sought four categories of records regarding "the process by which [OLC] accessions formal legal opinions to the National Archives and Records Administration ('NARA')." We received your request on August 31, 2023, and it has been assigned tracking number **FY23-122**.

Based on our preliminary review of your request, and pursuant to 28 C.F.R. § 16.5(b), your request has been tentatively assigned to the "complex" processing track. If you would like to narrow your request so that it can be transferred to the "simple" track and processed more quickly, please contact Melissa Golden at the addresses and phone number provided below. We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether fees will be assessed for this request.

Because of the considerable number of FOIA requests received by OLC prior to your request, we have not yet been able to process your request. Accordingly, we likely will be unable to comply with the statutory deadline for responding to your request. We regret the necessity of this delay, but please be assured that your request will be processed as soon as possible.

In the meantime, if you have any questions or wish to discuss your request, you may contact Melissa Golden, OLC's FOIA Public Liaison, at usdoj-officeoflegalcounsel@usdoj.gov, (202) 514-2053, or at Office of Legal Counsel, United States Department of Justice, 950 Pennsylvania Ave., N.W., Room 5517, Washington, DC 20530.

Sincerely,
OLC FOIA Staff