

**Exhibit L – NARA’s letter to Clark Hill PLC dated
Nov. 16, 2016**



Mr. Patrick Taurel
Clark Hill PLC
601 Pennsylvania Avenue, N.W.
North Building, Suite 1000
Washington, D.C. 20004

NOV 16 2016

Re: Freedom of Information Act Appeal No. NGC16-040A

Dear Mr. Taurel:

This is in response to your Freedom of Information Act (FOIA) letter dated February 22, 2016, in which you appeal the failure of the National Personnel Records Center (NPRC) (Civilian Personnel Records) to respond to your initial FOIA request, dated November 5, 2015, within 20 days as required by the statute. Your appeal was received in this office on March 1, 2016 and assigned tracking number NGC16-040A. We apologize for the delay in responding to your appeal.

In your appeal, you have included a copy of your initial FOIA request, dated November 5, 2015. In that request you sought access to any and all records "which have been prepared, received, transmitted, collected and/or maintained by U.S. Citizenship and Immigration Services ("USCIS"), legacy Immigration and Naturalization Service ("INS"), the Department of Homeland Security Office of the Inspector General ("DHS OIG"), the Federal Bureau of Investigation ("FBI"), and the National Personnel Records Center ("NPRC") which relate or refer in any way to former USCIS employee Robert T. Schofield ("Schofield")."

After we received your February 22, 2016 appeal, Deputy FOIA Officer Wanda Williams contacted you regarding your initial FOIA request. Ms. Williams also contacted the NPRC and learned that the NPRC had never received your November 5, 2015 initial request; that is why you never received a response. Once Ms. Williams notified the NPRC of your November 5, 2015 FOIA request, staff responded promptly by conducting a search for the information you requested. Staff reviewed Schofield's official personnel file (OPF) and produced information releasable to a third-party requester under current OPM guidelines in compliance with the FOIA and Privacy Act. Using information contained in Mr. Schofield's personnel file, NPRC produced one document (Transcript Statement of Federal Service) totaling one page, containing information derived from his OPF. Ms. Williams learned that the NPRC express mailed the

NATIONAL ARCHIVES and
RECORDS ADMINISTRATION

8601 ADELPHI ROAD
COLLEGE PARK, MD 20740-6001

www.archives.gov

document and cover letter to your Washington, D.C. office, and that they were delivered the third week of March 2016.

The NPRC provided you with all information available for release subsequent to the filing of your appeal. Inasmuch as we consider this action to constitute a full grant of your request, we consider your appeal to be moot and we will be closing your appeal file in our office.

Finally, we note that in processing your FOIA request, NPRC staff inadvertently released Mr. Schofield's date of birth and last four digits of his social security number. That information, taken together, is considered sensitive personally identifying information, and should have been redacted in accordance with FOIA Exemption 6, 5 U.S.C. § 552(b) (6). Release of this information would constitute a clearly unwarranted invasion of personal privacy to Mr. Schofield. As a result, we are re-releasing the same two pages (the Release letter and Transcript) with the personally identifying information redacted. To the extent you have any additional copies of the documents which were inadvertently released by the NPRC, please return those documents to our office.

For your information, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, 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. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
ogis@nara.gov
ogis.archives.gov
202-741-5770
1-877-684-6448

Your administrative remedies are now exhausted. 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). You may seek judicial review in the District of Columbia, in the United States District Court for the judicial district in which you reside or do business, or where the records are located -- in this instance, in the U.S. District Court for the Southern District of Illinois.

Sincerely,



DEBRA STEIDEL WALL
Deputy Archivist of the United States

RESPONSE LETTER**RE:** [REDACTED]**SOCIAL SECURITY NUMBER**
[REDACTED]**THE REPLY TO THE INQUIRY WILL BE FOUND IN THE CHECKED ITEM(S)**

- The attached material is furnished in response to your request. **TRANSCRIPT**
- Your request did not specify a particular Standard Form 50, Notification of Personnel Action. We have attached a copy of the most recent form. If you require another SF 50, please include the date of the SF 50 and the specific action shown on the form.
- This transcript of employment (which has been prepared from pay records) is furnished in lieu of an official personnel folder, which either was never established or cannot be located. File this transcript as a permanent record on the right side of the official personnel folder established for this employee.
- The records of employment with the District of Columbia Government and Defense Non-appropriated Fund activities are not combined with the records of other Federal employment. The attached transcript serves as official documentation of the employee's service in lieu of the folder
- This form has not been notarized, as we have no notary available. We have affixed the seal of the National Archives and Records Administration, which is generally accepted as sufficient certification.
- We cannot answer questions of a personal nature. Unless otherwise indicated, conduct and performance were satisfactory.
- The requested information or document is not in the official personnel folder.
- The information you requested is not releasable without either written authorization and signature from the person whose records is involved or proof of that person's death. If you resubmit your request, please return all correspondence.
- A search of our records did not reveal a record of the claimed Federal employment. If additional information or documentation can be submitted to verify the information shown in the request or to otherwise support the claimed employment, we will make a further search. If you resubmit your request, please return all correspondence.
- Requests involving retirement or insurance information or medical records should be sent to the Office of Personnel Management, Retirement Programs, 1900 E Street NW, Washington, DC 20415-3000.
- Pay claims arising from Federal employment should be sent to the agency out of whose actions the claim arose.
- Requests concerning amendment or removal of information in the official personnel folder should be sent to the Deputy Associate Director, Center for HR Systems Requirements and Strategies, Room 6500, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415-6000.
- We do not have the authority to determine civil service status, reinstatement eligibility, or creditability of service. Contact the personnel office with which you are currently employed or seeking employment, or the Office of Personnel Management, 1900 E Street, NW, Room 6500, Washington, DC 20415-9300. The attached documents or transcript will assist in making such determinations.
- The records you have requested are not on file at this Center.
- We suggest you contact the address given below/on the attached printout.
- The official personnel folder is not at this Center. Please contact the last or current employing agency.
- The agency mentioned in your request does not retire personnel records to this Center. We suggest you write directly to that agency.
- Your request, along with the necessary documents, has been forwarded to the office that retains legal custody of the record for processing. Please contact that office at the address given below if you have further questions about this matter.
- The requested official personnel folder was sent to the address given below on _____. We suggest you contact that office.

Referral address:

CLARK HILL
FAX: 202-772-0919

DATE: 3/18/2016

For the Chief,
 Civilian Operations Branch
 Reference Service Branch

NATIONAL PERSONNEL RECORDS CENTER
 (Civilian Personnel Records)
 1411 Boulder Blvd
 Valmeyer IL 62295

TRANSCRIPT/STATEMENT OF FEDERAL SERVICE

NAME (last first middle) [REDACTED]

Date of Birth (mm,dd,yyyy) [REDACTED]

Social Security Number [REDACTED]

The information furnished below, taken from official records of the Federal Government, should be treated as CONFIDENTIAL.

NATURE OF ACTION 5 (The column used only for a transcript of employment)	EFFECTIVE DATE OR PERIOD (mm,dd,yyyy)		POSITION, GRADE AND SALARY	AGENCY AND LOCATION	REMARKS
	FROM	TO			
			IMMIGRATION INSPECT	DEPT OF JUSTICE NIAGARA FALLS, NV	
			\$38,925 PA	DEPT OF JUSTICE	
			DIST ADJ OFFICER	ARLINGTON, VA	
			\$56,362 PA	DEPT OF JUSTICE	
			SUPV DISTRICT OFFICER	ARLINGTON, VA	
			\$84,218 PA	HOMELAND SECURITY	
			SUPV DISTRICT OFFICER	ARLINGTON, VA	
			\$84,218 PA	HOMELAND SECURITY	
			SUPV DISTRICT OFFICER	ARLINGTON, VA	
			\$97,976 PA	HOMELAND SECURITY	

W. Schmidt

KEY TO ABBREVIATIONS

- | | | | | | | |
|---|--|---|---|--|--|---|
| <ul style="list-style-type: none"> -Adjustments -Appointment -Career Appointment -Career Conditional Appointment -Conditional -Continuance -Conversion -Demotion -Excepted | <ul style="list-style-type: none"> EXT FURL INDEF L.A. LWOP MIL PHYS DIAB RET PROB PROM | <ul style="list-style-type: none"> -Extensions -Furlough -Indefinite -Letter of Authority -Leave Without Pay -Military -Physical Disability Retirement -Probational -Promotion | <ul style="list-style-type: none"> REASSIGN RIF REEMPL REINS REM RESIG RESTOR RET RTD SEP | <ul style="list-style-type: none"> -Reassignment -Reduction in Force -Reemployment -Reinstatement -Removal -Resignation -Restoration -Retirement -Return to Duty -Separation | <ul style="list-style-type: none"> SUSP TEMP TERM TRANS WGI WSIA WSTA | <ul style="list-style-type: none"> -Suspension -Temporary -Termination -Transfer -Within Grade Increase -War Service Indefinite Appointment -War Service Temporary Appointment |
|---|--|---|---|--|--|---|