



DEPARTMENT OF THE NAVY
NAVAL POSTGRADUATE SCHOOL
1 UNIVERSITY CIRCLE
MONTEREY, CA 93943-5000

5720
Ser 00C/097
September 20, 2018

MuckRock News
Mr. Matthew Hoppock
Dept MR 6112
411A Highland Avenue
Somerville, MA 02144-2516

61122-16689458@requests.muckrock.com

Dear Mr. Hoppock,

SUBJECT: FREEDOM OF INFORMATION ACT LOCAL NUMBER NPS-2018-12

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request dated and received in this office on September 19, 2018. In your FOIA request, you are seeking, "the current catalog for the Homeland Security Digital Library. It is described here (<https://www.hSDL.org/c/>) as containing 179,800 resources. Please produce the catalog as a spreadsheet (not as a PDF document)."

For FOIA purposes, you are considered an "all other requester," and therefore, you are entitled to the first two hours of search time and the first 100 pages of documents at no cost; however, you are required to pay for all FOIA costs over these limits.

As you know from providing the URL to the Homeland Security Digital Library's website, that over half of the documents are available to the public. The remainder of the collection is open to government officials at the local, state, tribal, territorial or federal levels, as well as the U.S. military. There is a link on the website to read more or see eligibility.

Based on the Department of Justice's website: We are not required to create documents to satisfy a FOIA request.

"When responding to a request, the FOIA requires agencies to "provide the [requested] record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format" and to also "make reasonable efforts to maintain its records in forms or formats that are reproducible" for such purposes. These statutory provisions require agencies to not only honor a requester's choice of format among existing formats of a record, but to also make "reasonable efforts" to disclose a record in a format not in existence, when so requested, if the record is "readily reproducible" in that new format. If records are not readily reproducible by the agency in the format requested, courts have not required agencies to release the records in that format."

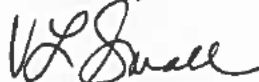
<https://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/procedural-requirements.pdf#p55>

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Since you are receiving a "no records" response, there is no fee for this response. If you are unsatisfied with this FOIA response, you may contact the DONCIO FOIA Public Liaison, Mr. Chris Julka, at christopher.a.julka@navy.mil or (703) 697-0031. If you wish to appeal the FOIA determination, please send your appeal to the Office of the Judge Advocate General, Department of the Navy, ATTN: FOIA APPEALS, 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. You need to include a copy of your original request, a copy of this letter, your supporting rationale on why the appeal should be granted, and any other information that you would like considered in adjudicating your appeal. The appeal must be postmarked no later than 90 calendar days from the date of this letter.

If you have any questions concerning this letter, please contact my paralegal at (831) 656-3388 or kdmastow@nps.edu.

Sincerely,



V. L. SMALL

By direction