

EXHIBIT H



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

Sean Riordan, Esq.
ACLU of Northern California
500 Capitol Mall
Sacramento, CA 95814
sriordan@aclunc.org

Re: Appeal No. DOJ-AP-2019-005054
Request No. 1430692
MWH:RNB

VIA: Email

Dear Sean Riordan:

You attempted to appeal on behalf of your clients, the ACLU of Northern California, Muslim Advocates, and the International Refugee Assistance Project, from the failure of the Federal Bureau of Investigation to respond to your clients' Freedom of Information Act request for access to records and communications concerning then Attorney General Jeff Sessions' claim on March 6, 2017, regarding refugees under FBI Investigation for potential terrorism-related activities.

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) (2018). As no adverse determination has yet been made by the FBI, there is no action for this Office to consider on appeal.

As you may know, the FOIA authorizes requesters to file a lawsuit when an agency takes longer than the statutory time period to respond. See 5 U.S.C. § 552(a)(6)(C)(i). However, I can assure you that the FBI is currently processing your clients' request. If you are dissatisfied with the FBI's final response, you may appeal again to this Office.


This Office has forwarded a copy of your letter to the FBI. You should contact the FBI's Requester Service Center at 540-868-1535 for further updates regarding the status of your clients' request.

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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,

8/29/2019

X 

Matthew Hurd, Associate Chief, for
Sean O'Neill, Chief, Administrative Appeals Staff
Signed by: MATTHEW HURD