



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

Telephone: (202) 514-3642

October 23, 2015

Mr. John Young
Cryptome
251 West 89th Street
New York, NY 10024
jya@pipeline.com

Re: OIP/15-05808 (F)
VRB:VAV:ERH

Dear Mr. Young:

This responds to your Freedom of Information Act (FOIA) request dated September 3, 2015, for documents pertaining to litigation referenced in this Office's response to your appeal, AP-2014-04098. Because you directed your request to the FOIA/PA Mail Referral Unit, Justice Management Division, for appropriate routing, it was not received by this Office until September 14, 2015. This response is made on behalf of the Office of Information Policy.

Please be advised that a search has been conducted in the Office of Information Policy and one document, totaling one page, was located that is responsive to your request. I have determined that the document, totaling one page, be withheld in full, some on behalf of the Civil Division, pursuant to Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege and the attorney work-product privilege. For your information, the withheld material consists of internal communications. None of the information being withheld is appropriate for discretionary disclosure.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through this Office's eFOIA portal at www.justice.gov/oip/efoia-portal.html. Your appeal must be postmarked or transmitted electronically within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in blue ink that reads "Vanessa R. Brinkmann" with a small "for" written below the name.

Vanessa R. Brinkmann
Senior Counsel



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Re: Appeal No. AP-2014-04098
Request No. 1286457
MWH:KRP

VIA: Appeal Portal

Dear Mr. Young:

You appealed from the action of the Federal Bureau of Investigation on your Freedom of Information Act request for access to records concerning Edward Snowden.

After carefully considering your appeal, I am affirming the FBI's action on your request. The FOIA provides for disclosure of many agency records. At the same time, Congress included in the FOIA nine exemptions from disclosure that provide protection for important interests such as personal privacy, privileged communications, and certain law enforcement activities. The FBI properly withheld this information in full because it is protected from disclosure under the FOIA pursuant to 5 U.S.C. § 552(b)(7)(A). This provision concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to interfere with enforcement proceedings.¹

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of the FBI in response to your request.

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).

For your information, the Office of Government Information Services (OGIS) 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. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road,

¹ Additionally, our Office has been informed that your request is currently the subject of litigation.

College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

8/31/2015

X 

Matthew Hurd, Senior Attorney, for
Sean O'Neill, Chief, Administrative Appeals Staff
Signed by: Hurd, Matthew (OIP)