



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

Telephone: (202) 514-3642

September 26, 2013

Julia Horowitz, Esq.
Electronic Privacy Information Center
Suite 200
1718 Connecticut Drive
Washington, DC 20009
foia@epic.org

Re: Appeal No. AP-2013-04956
Request No. FY13-055
CDT:ADF

VIA: E-Mail

Dear Ms. Horowitz:

You attempted to appeal from the failure of the Office of Legal Counsel (OLC) to respond to your request for access to records concerning the "PRISM program."

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. § 16.9(a) (2013). As no adverse determination has yet been made by OLC, there is no action for this Office to consider on appeal.


As you may know, the Freedom of Information Act 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 this Office has contacted OLC and has been advised that your request is currently being processed. If you are dissatisfied with OLC's final response, you may appeal again to this Office.

This Office has forwarded a copy of your letter to OLC. I suggest that you contact OLC's Requester Service Center at (202) 514-2038 for further updates regarding the status of your request.

Sincerely,

Sean R. O'Neill
Chief
Administrative Appeals Staff

By:


Christina D. Troiani
Attorney-Advisor
Administrative Appeals Staff