



U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

Ms. Elena R. Sassower  
Center For Judicial  
Accountability, Inc.  
Gedney Station  
Post office Box 69  
White Plains, NY 10605-0069

Re: Appeal No. 00-4337  
RLH:KDC:TPH

Dear Ms. Sassower:

This responds to your letter of September 8, 2000, requesting information about the status of your July 13, 2000 appeal (No. 00-3511), concerning your request from the Office of Information and Privacy for access to regulations promulgated pursuant to 28 U.S.C. § 528.

Your September 8, 2000 letter was mistakenly opened by this Office as a new appeal, and assigned Appeal No. 00-4337. This Office responded to Appeal No. 00-3511 by letter dated September 28, 2000, a copy of which is enclosed. Accordingly, we are administratively closing Appeal No. 00-4337 in this Office.

Sincerely,

Richard L. Huff  
Co-Director

Enclosure



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SEP 28 2000

Ms. Elena R. Sassower  
Center For Judicial  
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Gedney Station  
Post office box 69  
White Plains, NY 10605-0069

Re: Appeal No. 00-3511  
RLH:KDC:TPH

Dear Ms. Sassower:

You appealed from the action of the Office of Information and Privacy on your request for access to regulations promulgated pursuant to 28 U.S.C. § 528.

With regard to the regulations you requested, please be advised that the Freedom of Information Act does not require federal agencies to answer questions or perform legal research in response to a FOIA request, but rather is limited to requiring agencies to provide access to reasonably described, nonexempt records. NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 162 (1975); Zemansky v. EPA, 767 F.2d 569, 574 (9th Cir. 1985). Also, any records made available under subsection (a)(1) of the FOIA, 5 U.S.C. § 552(a)(1) (published regulations) need not be made available under subsection (a)(3) of the FOIA, 5 U.S.C. § 552(a)(3) (records made available upon request).

As a matter of discretion, however, I am enclosing a copy of the regulations you requested. Inasmuch as this action constitutes a full grant of your request, I am closing your appeal file in this Office.

Sincerely,

Richard L. Huff  
Co-Director

Enclosure

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Washington, D.C. 20530

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