

MAY 10 2013

Case No.: F-2012-40981

RELEASE IN FULL

Ms. Anne L. Weismann  
1400 Eye St., NW, Suite 450  
Washington, DC 20005

Dear Ms. Weismann:

I refer to your letter dated December 6, 2012, requesting under the provisions of the Freedom of Information Act (Title 5 USC Section 552) and/or the Privacy Act (Title 5 USC Section 552a) the release of certain records maintained by the Department of State.

The Department of State has a number of record systems. Its Central Foreign Policy Record File is an automated centralized records system, containing substantive foreign policy documents. Additionally, offices within the Department and Foreign Service posts abroad maintain files specific to their operations. Information about the Department and the mission and functions of its individual bureaus and offices, as well as its posts abroad, may be found at our website, [www.state.gov](http://www.state.gov) or in the U.S. Government Manual published by the Government Printing Office and available at most public libraries.

Based on the subject matter of your request, we searched the files of the offices reasonably likely to maintain responsive records: the Bureau of Information Resource Management, the Executive Secretariat's Information Resources Management Office, and the Executive Secretariat's Office of Correspondence and Records. These files were searched by professional employees familiar with their contents and organization, and no records responsive to your request were located.

As background, it may be helpful for you to know that messages from the Secretary are occasionally transmitted to the Department via e-mail. However, these messages are transmitted from a "dummy" e-mail address that is not capable of receiving replies, rather than from a functioning e-mail account.

I regret that the Department's response to your request is not more positive. Please direct questions concerning the processing of your case to the Office of Information Programs and Services, A/GIS/IPS, SA-2, Room 8100, U.S. Department of State, Washington, D.C. 20522-8100; or to telephone number (202) 261-8484.

The D.C. Circuit Court of Appeals, in Oglesby v. Department of the Army, 920 F.2d 57 (D.C. Cir. 1990), ruled that a "no record" response constitutes an adverse determination, thereby requiring an agency to give appeal rights to the requester. Our determination that the Department does not have any records responsive to your request may be appealed within 60 days of the date of this letter. Although I believe that our search effort has been adequate, I want to be sure that you are aware of this court decision.

Appeals should be addressed to: Chairman, Appeals Review Panel, c/o Appeals Officer, A/GIS/IPS/PP/LC, Room 8100, SA-2, U.S. Department of State, Washington, D.C. 20522-8100. A copy of the Department's appeal procedures is enclosed. Please refer to the case control number shown above in all correspondence concerning this case.

Sincerely,



For Sheryl L. Walter, Director  
Office of Information Programs and Services

Enclosure:  
As stated.