



**U.S. Department of Justice**  
Office of Information Policy  
*Sixth Floor*  
441 G Street, NW  
Washington, DC 20530-0001

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Telephone: (202) 514-3642

April 12, 2023

Sean Dunagan  
Judicial Watch  
339 Park Drive  
Glenwood Springs, CO 81601  
[sdunagan@judicialwatch.org](mailto:sdunagan@judicialwatch.org)

Re: FOIA-2023-00361  
DRH:GMG

Dear Sean Dunagan:

This responds to your Freedom of Information Act (FOIA) request dated December 9, 2022, and received in this Office on December 14, 2022, seeking the staff roster for the Office of Special Counsel Jack Smith since November 1, 2022.

A search has been conducted, and material responsive to your request has been located. I have determined that this material should be withheld pursuant to Exemptions 6 and 7(A) of the FOIA, 5 U.S.C. § 552(b)(6) and (b)(7)(A). Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. Exemption 7(A) pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

Although we are withholding this material in its entirety, please be advised that, in addition to Special Counsel Smith, we can confirm that Myron Marlin serves as the official spokesperson for the Office of Special Counsel Smith.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Valeree Villanueva, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001; telephone at 202-514-3642.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government

-2-

Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with this Office's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. 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, appearing to read "Douglas R. Hibbard", with a small "DR" monogram at the end.

Douglas R. Hibbard  
Chief, Initial Request Staff