

Matt Ehling  
President  
Public Record Media, LLC  
2375 University Ave. W.  
Suite 200  
Saint Paul, MN 55114



August 13, 2012

Elizabeth Farris  
Supervisory Paralegal  
Office of Legal Counsel  
Room 55155, 950 Pennsylvania Avenue, NW  
Department of Justice  
Washington, DC 20530-0001

RE: Alternative time frame for response to FOIA request FY12-079

Dear Ms. Farris,

On April 23, 2012, I submitted a FOIA request to the Office of Legal Counsel seeking four categories of documents. In a letter of May 15, 2012, my request was subsequently assigned number FY12-079 by Mr. Paul Colborn of the Office of Legal Counsel. A copy of my request is attached to this correspondence for your reference.

In Mr. Colborn's letter of May 15, he noted that the Office of Legal Counsel would be unable to respond to my request within the statutorily required twenty-day time frame, due to "the considerable number of FOIA requests received by the office." He also noted that the request would be processed "as soon as possible." A copy of Mr. Colborn's letter is attached to this correspondence for your reference.

I am writing to you today in order to seek information about the alternative time frame that your office is proposing in order to process and respond to request number FY12-079. Please contact me at your soonest convenience to inform me of the date by which your agency is planning to respond to request FY12-079.

I can be reached at 651-335-2037, or by e-mail at [info@publicrecordmedia.com](mailto:info@publicrecordmedia.com).

Sincerely,

A handwritten signature in black ink, appearing to be 'ME' with a long horizontal stroke extending to the right.

Matt Ehling  
President, Public Record Media

Matt Ehling  
President  
Public Record Media, LLC  
2375 University Ave W.  
Suite 200  
St. Paul, MN 55114



April 23, 2012

Elizabeth Farris  
Supervisory Paralegal  
Office of Legal Counsel  
Room 55155, 950 Pennsylvania Avenue, NW  
Department of Justice  
Washington, DC 20530-0001

Dear Ms. Farris,

This is a request under the Freedom of Information Act (5 U.S.C. § 552). I request that a copy of the following records be provided to me:

1. Any and all legal opinions and/or memoranda produced by your agency that describe the authorities set forth in sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as those sections are presently incorporated into the U.S. Code;
2. Any and all legal opinions and/or memoranda produced by your agency that describe the authorities of the President of the United States as they exist in relation to sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as those sections are presently incorporated into the U.S. Code;
3. Any and all legal opinions and/or memoranda produced by your agency that detail or describe the policies of the presidential administration of Barack Obama relative to that administration's use (or potential use) of the authorities set forth in sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as those sections are presently incorporated into the U.S. Code;
4. Any and all legal opinions and/or memoranda produced by your agency that detail the authorities of the Posse Comitatus Act (18 U.S.C. § 1385) as they exist in relation to sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as those sections are presently incorporated into the U.S. Code.

Through my request, I am only seeking access to responsive records that constitute final determinations of policy and/or final opinions, and that are post-decisional in nature.

In order to help you determine my status for the purpose of assessing fees, you should know that this request is made as part of news gathering, and is not for commercial use. Responsive files will be shared with researchers, journalists, and the public, and will not be licensed for profit.

I am seeking a waiver of fees for this request, since the public dissemination of the requested materials will aide the public's understanding of the legal basis for certain actions undertaken in the course of the war against terrorism.

If my fee waiver is denied, I am willing to pay fees of up to \$100.00 without prior notice. If fees are estimated to exceed this amount, please notify me first.

If this request is denied in whole or in part, please notify me of the legal basis for the denial, as well as all appeals procedures available under law.

I can be contacted at 651-335-2037 or [info@publicrecordmedia.com](mailto:info@publicrecordmedia.com) if you need to discuss any aspect of this request.

Sincerely,

A handwritten signature in black ink, appearing to be 'Matt Ehling', written in a cursive style.

Matt Ehling  
President, Public Record Media



U.S. Department of Justice

Office of Legal Counsel

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Washington, D.C. 20530

May 15, 2012

Matt Ehling  
Public Record Media, LLC  
2375 University Ave W.  
Suite 200  
St. Paul, MN 55114

Dear Mr. Ehling:

This is to acknowledge receipt of your Freedom of Information Act ("FOIA") request dated April 23, 2012, and received by the Office of Legal Counsel ("OLC") on May 1, 2012. Your request has been assigned tracking number **FY12-079**.

Because of the considerable number of FOIA requests received by the Office before your request, our staff has not yet been able to complete a search to determine whether there are records within the scope of your request. Accordingly, we will be unable to comply with the statutory deadline for responding to your request. I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible.

We have not yet made a decision on your request for a fee waiver. We will do so after we have determined whether fees will be assessed for this request.

In the meantime, if you have any questions or wish to discuss your request, you may contact Elizabeth Farris, our Supervisory Paralegal and FOIA contact, at [REDACTED], or you may write to her at Office of Legal Counsel, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530.

Sincerely,

A handwritten signature in black ink that reads "Paul P. Colborn".

Paul P. Colborn  
Special Counsel