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**NARA OIG FOIA 23-06**

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John Simms <john.simms@nara.gov>  
To: foia@aflegal.org

Wed, Apr 19, 2023 at 3:33 PM

Mr. Ding,

Thank you for emailing your FOIA request to the National Archives and Records Administration (NARA) Office of Inspector General (OIG) on April 10, 2023 where you requested:

- A. All records of the criminal referral from the Archives' Office of Inspector General to the Federal Bureau of Investigation.
- B. All records relating to the existence of a record reflecting the Office of Inspector General's determination that a violation of Federal criminal law occurred.
- C. All records relating to case number LW 2022-070.
- D. All records of communications between the Archives and the White House referring to a special access request for Presidential Records made under 44 U.S.C. § 2205(2).
- E. All records of communications between the Archives and/or the Office of Inspector General with the Department of Justice and any of its components referring to a special access request for Presidential Records made under 44 U.S.C. § 2205(2).
- F. All records identifying the Archives' staff involved in providing access to the "15 boxes" referenced by Acting Archivist Wall in her email of August 24, 2022, Bates 15B001043-44, to the Federal Bureau of Investigation.
- G. All communications between the Archives and/or the Office of Inspector General with any person employed by the Department of Justice, the Federal Bureau of Investigation, and/or the Executive Office of the President regarding the "15 boxes" referenced by Acting Archivist Wall in her email of August 24, 2022, Bates 15B001043-44.
- H. All communications between the Archives and the Office of Inspector General regarding the "15 boxes" referenced by Acting Archivist Wall in her email of August 24, 2022, Bates 15B001043-44.
- I. All records of or regarding the processing of items A – G, including but not limited to all records of consultation, claims of privilege, and White House or other agency equities.

You also limited the time frame for each item requested to from November 1, 2021, to the date of final processing. The OIG assigned this request tracking number NARA OIG 23-06, please use this number in all future correspondence relating to this FOIA case. Further, we received a copy of the email AFL sent NARA on April 17, 2023 clarifying parts B, D, and E of the request. Thank you for the clarification.

Please note your request will require consultations with or referrals to the Department of Justice and NARA. This puts the request in the unusual circumstances category requiring longer than 20 days to process. As a reminder, the NARA OIG is an independent unit of NARA tasked by Congress to combat fraud, waste, abuse and mismanagement within NARA. As such, we have no control or authority over records kept and maintained by any other government agency, or even any other office at NARA. We only control those records generated within this office alone. The OIG does not control NARA operational records, or the records of any other agency. Accordingly, any response from the OIG will only cover records with the OIG and may not fully cover the items you may be requesting. For example, the part of your request that covers NARA management officials communications with the White House in item D. above will be processed by NARA and not the OIG.

Respectfully,

John Simms  
Counsel to the Inspector General  
Office of Inspector General  
National Archives and Records Administration  
301-837-1966

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