



Federal Communications Commission
Washington, D.C. 20554

September 18, 2018

DA 18-965

Ryan Shapiro
Property of the People
1712 Eye St. NW Suite 915
Washington, DC 20006
Via e-mail to foia@propertyofthepeople.org

Re: FOIA Control No. 2018-719

Mr. Shapiro:

On July 11, 2018, you appealed the Commission's response to your Freedom of Information Act (FOIA) request, FOIA Control No. 2018-719.¹ By this letter, we dismiss your appeal.

On June 11, 2018, you filed a FOIA request with the Commission, seeking copies of certain records of payments to or from Trump-related properties, along with associated travel records. This request was assigned FOIA Control No. 2018-719. The Commission responded to your FOIA request, providing you with the records located in the course of the search.² These records, consisting primarily of regulatory fees paid to the Commission by the specified entities, were provided in full without redaction.

On July 11, 2018, through your organization's attorney, you appealed the Commission's response. You stated that the Commission's response "is appealed in its entirety, including but not limited to the adequacy of the search."³ You do not elaborate on how or why you believe the Commission's search was inadequate, or how the Commission otherwise erred in responding to your request. Nonetheless, staff in the Office of General Counsel provided you with a supplemental response explaining how the search was conducted

¹ E-mail from Gunita Singh, Attorney, Property of the People, to FOIA-Appeal@fcc.gov (July 11, 2018) (*Appeal*).

² Letter from Kathleen Heuer, Chief Financial Officer, Federal Communications Commission, to Ryan Shapiro (July 3, 2018).

³ *Appeal* at 1.

and confirming that staff searched the relevant sources of records.⁴ In response to this supplemental explanation, you stated that you wished to continue with your appeal as “it is [your] general practice to administratively appeal such matters for the sake of thoroughness.” As before, you provided no specific explanation as to how you believed the Commission’s response was inadequate.⁵

Given the above, we conclude that you have not raised any material issues with the response to your FOIA request that would merit review by the Commission. Your appeal does not cite any particular error in the initial response or provide any specific question for the Commission to rule upon. For these reasons, we dismiss your application for review under section 0.251(j) of the Commission’s rules for failing to articulate specific grounds for review.⁶

Pursuant to 5 U.S.C. § 552(a)(6)(A)(ii), we notify you of the provisions for judicial review under paragraph (a)(4) of the Freedom of Information Act.⁷ We note that as part of the Open Government Act of 2007, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely,

⁴ E-mail from Ryan Yates, Attorney Advisor, Federal Communications Commission, to Gunita Singh, Attorney, Property of the People (July 24, 2018).

⁵ E-mail from Gunita Singh, Attorney, Property of the People, to Ryan Yates, Attorney Advisor, Federal Communications Commission (July 30, 2018).

⁶ See 47 C.F.R. § 0.251(j) (as the Commission’s Chief FOIA Officer, “the General Counsel is delegated authority to dismiss FOIA applications for review that are untimely, repetitious, or fail to articulate specific grounds for review”).

⁷ See 5 U.S.C. § 552(a)(4)(B) (“On complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant.”)

Thomas M. Johnson, Jr.
General Counsel
Office of General Counsel

cc: FOIA Officer