



NATIONAL
ARCHIVES

October 9, 2012

Amy Bennett
Assistant Director, OpenTheGovernment.org
1100 G Street, NW, Suite 500
Washington, DC 20005

Re: Freedom of Information Act Request NGC13-011

Dear Ms. Bennett:

This is in response to your Freedom of Information Act request of October 4, 2012, for access to “the report submitted by National Archives and Records Administration (NARA) to the Archivist and the Director of the Office of Management and Budget (OMB) pursuant to the November 28, 2011 Presidential Memorandum on Managing Government Records.” Our office received your request electronically on October 4, 2012, and assigned tracking number NGC13-011 to it.

The report is still in draft and is undergoing agency review. Moreover, when finalized, the report will contain recommendations to the President that are necessarily pre-decisional and deliberative in nature. For these reasons, access to any records responsive to your request that are in the custody of the National Archives and Records Administration (NARA) is denied per FOIA Exemption 5, 5 U.S.C. §552(b)(5), under the deliberative process privilege.

You may appeal this denial to the Deputy Archivist (ND), National Archives and Records Administration, College Park, Maryland 20740. Your appeal should be received within 35 calendar days of the date of this letter and it should explain why you think the withheld records should be released. Both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal” and reference the tracking number NGC13-011.

Sincerely,

JAY OLIN
NARA Deputy FOIA Officer
Office of General Counsel

NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION

8601 ADELPHI ROAD
COLLEGE PARK, MD 20740-6001

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