

U.S. Department of Justice



Federal Bureau of Investigation
Washington, D.C. 20535

May 30, 2014

MR. THOMAS S. HAY
TROUTMAN SANDERS LLP
SUITE 1000
ATTORNEYS AT LAW
401 9TH STREET, NW
WASHINGTON, DC 20004-2134

Request No.: NFP-33408
Subject: UNKNOWN FILE

Dear Mr. Hay:

This is in response to your Freedom of Information/Privacy Act (FOIPA) request for an alleged investigative file referenced in a 1/22/2002 fax cover sheet with a 1/17/2002 handwritten notation, provided with your request letter.

The FBI was able to locate the unredacted version of the same fax cover sheet based on the litigation case file number referenced at the bottom of document; however, the 2002 hand-written notation does not indicate or cite to any specific FBI file. As you are aware from the FBI's Vaughn index in your request in litigation and currently on appeal to the U.S. Court of Appeals for the 5th Circuit, the redacted information on the fax cover sheet does not contain a file name or file number, but rather the name and telephone number of an FBI employee.

The FOIPA provides for access to Government records where the records sought are "reasonably described" [Title 5, United States Code, Section 552a(a)(3)(A)]. Neither your letter nor the document you provided provides enough descriptive information to initiate a search of our records as it does not describe the records sought in enough detail to enable FBI personnel to locate them with a reasonable amount of effort. In accordance with Title 28, Code of Federal Regulations, Part 16.3(b), please provide us more specific information. If known, you should include any file designations or description of the records you seek.

Enclosed for your information is a copy of the FBI Fact Sheet.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", is written over the typed name.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure



FBI FACT SHEET

- **The primary functions of the FBI are national security and law enforcement.**
- **The FBI does not keep a file on every citizen of the United States.**
- **The FBI was not established until 1908 and we have very few records prior to the 1920s.**
- **FBI files generally contain reports** of FBI investigations of a wide range of matters, including counterterrorism, counter-intelligence, cyber crime, public corruption, civil rights, organized crime, white collar crime, major thefts, violent crime, and applicants.
- **The FBI does not issue clearances or non-clearances for anyone other than its own personnel or persons having access to FBI facilities.** Background investigations for security clearances are conducted by many different Government agencies. Persons who received a clearance while in the military or employed with some other government agency should contact that entity. Most government agencies have websites which are accessible on the internet which have their contact information.
- **A criminal history summary check or “rap sheet” is NOT the same as an “FBI file.”** It is a listing of information taken from fingerprint cards and related documents submitted to the FBI in connection with arrests, federal employment, naturalization or military service. The subject of a “rap sheet” may obtain a copy by submitting a written request to FBI, Criminal Justice Information Services (CJIS) Division, Record Request, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306. Along with a specific written request, the individual must submit a new full set of his/her fingerprints in order to locate the record, establish positive identification, and ensure that an individual’s records are not disseminated to an unauthorized person. The fingerprint submission must include the subject’s name, date and place of birth. There is a required fee of \$18 for this service, which must be submitted by money order or certified check made payable to the Treasury of the United States. A credit card payment option is also available. Forms for this option and additional directions may be obtained by accessing the FBI Web site at www.fbi.gov/about-us/cjis/background-checks/background_checks.
- **The National Name Check Program (NNCP)** conducts a search of the FBI’s Universal Index (UNI) to identify any information contained in FBI records that may be associated with an individual and provides the results of that search to a requesting federal, state or local agency. Names are searched in a multitude of combinations and phonetic spellings to ensure all records are located. The NNCP also searches for both “main” and “cross reference” files. A main file is an entry that carries the name corresponding to the subject of a file, while a cross reference is merely a mention of an individual contained in a file. The results from a search of this magnitude can result in several “hits” and “idents” on an individual. In each instance where UNI has identified a name variation or reference, information must be reviewed to determine if it is applicable to the individual in question.
- **The Record/Information Dissemination Section (RIDS)** searches for records and provides copies of FBI files responsive to Freedom of Information or Privacy Act (FOIPA) requests for information. RIDS provides responsive documents to requesters seeking “reasonably described information.” For a FOIPA search, the subject’s name, event, activity, or business is searched to determine whether there is an associated investigative file. This is called a “main file search” and differs from the **NNCP** search.

FOR GENERAL INFORMATION ABOUT THE FBI, VISIT OUR WEBSITE AT
www.fbi.gov