



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

August 12, 2014

MR. JOHN F. CARROLL
ATTORNEY AT LAW
111 WEST OLMOS DRIVE
SAN ANTONIO, TX 78212

FOIPA Request No.: 1288395-0
Subject(s): UNABOM INVESTIGATION;
JAMES LUTCHER NEGLEY

Dear Mr. Carroll:

This is in reference to your Freedom of Information/Privacy Acts (FOIPA) correspondence originally dated April 7, 2014, the FBI's response dated May 30, 2014, and your subsequent correspondence dated July 15, 2014 (NFP-33408).

As noted in the FBI's letter of May 30, 2014, the FBI does not conduct research or answer questions under FOIA. As such, the request letter of April 7th, 2014--which did not identify a specific record-- was returned; no FOIPA number was assigned because it was not a proper request under the FOIA as its vagueness did not enable personnel to locate information with a reasonable amount of effort.

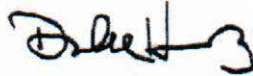
Upon receipt of your July 15, 2014 letter; however, we have reexamined your request in light of ongoing and prior litigation pertaining to Mr. Negley. It has been determined that the marginal notation refers to the massive UNABOM file in its entirety. The information in the handwritten notation discussed in the letter dated April 7, 2014 references the same information the FBI provided in a prior declaration in Civil Action No. A-01-CA-57-JN in the U.S. District Court Western District of Texas, Austin Division. This declaration was again produced to Mr. Negley in response to his FOIA request dated June 15, 2009 in FOIPA 1133487, the FOIA Request currently at issue in the U.S. District Court Western District of Texas, San Antonio Division, 5:12-cv-362 and before the Fifth Circuit Court of Appeals in Case No. 13-50912. The FBI is now opening and assigning FOIPA No.1288395-0 to this request.

The purpose of this letter is to provide an opportunity for you to clarify the nature and scope of Mr. Negley's April 7, 2014 request per 5 USC 552(a)(6)(A). Please specify whether or not Mr. Negley is seeking the entire UNABOM file, or a portion thereof. Reducing the scope of your request will accelerate the process and could potentially place your request in a smaller processing queue. This may reduce duplication costs and allow for a more timely receipt of your information. If you are seeking only a portion of the file, please be as specific as possible regarding what is sought (e.g., a specific time frame). **Until you clarify the nature and scope of your request, no further action will be taken (See 28 CFR 16.3(b)).** Given the voluminous nature of the UNABOM file, should you seek the entire UNABOM file or a significant portion thereof, you are further advised that "unusual circumstances" will apply to such a request (See 5 USC 552(a)(6)(B)). Accordingly, you will be required to remit advance payment of the **entire estimated amount** (unless your request is narrowed) as duplication fees will readily exceed the \$250 threshold requiring advance payment before work will commence. (28 CFR 16.11(i)(2)).

Releases are made on CD unless otherwise requested. Each CD contains approximately 500 reviewed pages per release. The 500 page estimate is based on our business practice of processing medium and large track cases in segments. DOJ regulations provide 100 pages or the cost equivalent (\$10.00) free of charge. **Pre-payment will be required before processing will begin.** In addition, you must notify us in writing within thirty (30) days from the date of this letter of your format decision (paper or CD) and your commitment to pay the estimated fee. Please mail your response to: Work Process Unit; Record Information/Dissemination Section; Records Management Division; Federal Bureau of Investigation; 170 Marcel Drive; Winchester, VA 22602. You may also fax your response to: 540-868-4997, Attention: Work Process Unit.

In summary, if we do not receive your clarification on the nature and scope of this request, the format decision and/or commitment to pay within thirty (30) days of the date of this notification, your request will be closed. Include the FOIPA Request Number listed above in any communication regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", with a stylized flourish at the end.

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