



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

April 22, 2019

[REDACTED]

Re: DOJ-2019-002503
DRH:VAV:SBT

Dear [REDACTED]

This responds to your Freedom of Information Act (FOIA) request dated and received in this Office on February 22, 2019, for the Appointment Affidavits and Oath of Office for former Supreme Court Justice Anthony M. Kennedy.

Please be advised that a search has been conducted in the Office of Legal Policy (OLP), and no records responsive to your request were located. For your information, while we did not locate the documents you requested, this does not mean that the documents do not exist, nor does it mean that Justice Kennedy was not duly authorized. The Department of Justice is not the official repository for this type of record; therefore, not all documents are forwarded to OLP for inclusion in its files. Please be advised that OLP, for which this Office processes FOIA requests, maintains records pertaining to all sitting federal judges, except magistrate, bankruptcy, Tax Court, Veterans Appeals Court and military Court of Appeals judges. Records relating to all federal judges are maintained by the Administrative Office of the United States Courts (AOUSC). As the AOUSC is an entity within the judicial branch, it is not subject to the FOIA. Although the policy of the AOUSC is not to release documents to the public, should you wish to contact the entity, its address as follows:

Judges Compensation and Retirement Services Office
Administrative Office of the United States Courts
One Columbus Circle, NE
Washington, DC 20544

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c) (2012 & Supp. V 2017). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Douglas Hibbard, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001; telephone at 202-514-3642; or facsimile at 202-514-1009.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in blue ink, appearing to read "Douglas R. Hibbard", with a small "DR" monogram at the end.

Douglas R. Hibbard
Chief, Initial Request Staff