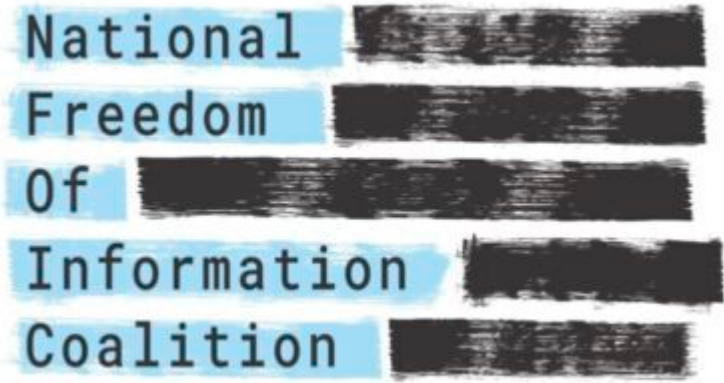




Protecting Your Right to Open Government



Sample FOIA Request Letters

Sample FOIA Request Letters

Below, you'll find examples of **Federal sample FOIA request letters**.

If you wish to submit an open records request to a state, county or local government, see these examples of **state sample FOIA request letters**, to find sample letter templates that you can use for preparing and submitting your open records request under your state's public disclosure laws.

FOIA Letters:

- Freedom of Information Act Request Letter
- Freedom of Information Act Appeal Letter
- Freedom of Information Act FOIA Letter Requesting a Fee Waiver

Privacy Act Letters:

- Privacy Act Request for Access Letter
- Privacy Act Denial of Access Appeal
- Privacy Act Request to Amend Records
- Privacy Act Appeal of Refusal to Amend Records

Sample letter requesting information in Missouri

(Date)

(Agency head)
(Agency)
(Address)
(FAX number)

Dear Public Official or Agency:

Pursuant to the Missouri Sunshine Law (RSMo Chapter 610), I would like to ***[inspect or obtain a copy of]*** the following public records:

[Describe the records sought with enough detail for the public agency to be able to respond]

I understand that if I seek a copy of this record, there may be a copying fee. Please inform me of that cost prior to making the copy. I can be reached at ***[phone number]***.

According to the statute, this request should be acted upon as soon as possible, but in no event later than the third business day following receipt of this letter. If access to the records I requested is going to take longer, please contact me so we can work out a reasonable date.

If you choose to deny the request, then you are required to respond in writing and state the statutory exception authorizing the withholding of all or part of the public record and the name and title or position of the person responsible for the denial.

Thank you for your assistance on this matter.

Respectfully,

(Your name)
(City, State, Zip)
(Telephone Number)
(Fax number)

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Freedom of Information Act Request Letter

Agency Head [or Freedom of Information Act Officer]
Name of Agency
Address of Agency
City, State, Zip Code

Re: Freedom of Information Act Request

Dear _____:

This is a request under the Freedom of Information Act.

I request that a copy of the following documents [or documents containing the following information] be provided to me: [identify the documents or information as specifically as possible].

In order to help to determine my status to assess fees, you should know that I am (insert a suitable description of the requester and the purpose of the request).

[Sample requester descriptions:

a representative of the news media affiliated with the _____ newspaper (magazine, television station, etc.), and this request is made as part of news gathering and not for a commercial use.

affiliated with an educational or noncommercial scientific institution, and this request is made for a scholarly or scientific purpose and not for a commercial use.

an individual seeking information for personal use and not for a commercial use.

affiliated with a private corporation and am seeking information for use in the company’s business.]

[Optional] I am willing to pay fees for this request up to a maximum of \$_____. If you estimate that the fees will exceed this limit, please inform me first.

[Optional] I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. [Include a specific explanation.]

Thank you for your consideration of this request.

Sincerely,

Name
Address
City, State, Zip Code
Telephone number [Optional]

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Freedom of Information Act Appeal Letter

Agency Head or Appeal Officer
Name of Agency
Address of Agency
City, State, Zip Code

Re: Freedom of Information Act Appeal

Dear _____:

This is an appeal under the Freedom of Information Act.

On (date), I requested documents under the Freedom of Information Act. My request was assigned the following identification number: _____. On (date), I received a response to my request in a letter signed by (name of official). I appeal the denial of my request.

[Optional] The documents that were withheld must be disclosed under the FOIA because....

[Optional] I appeal the decision to deny my request for a waiver of fees. I believe that I am entitled to a waiver of fees. Disclosure of the documents I requested is in the public interest because the information is likely to contribute significantly to public understanding of the operations or activities of government and is not primarily in my commercial interest. (Provide details)

[Optional] I appeal the decision to require me to pay review costs for this request. I am not seeking the documents for a commercial use. (Provide details)

[Optional] I appeal the decision to require me to pay search charges for this request. I am a reporter seeking information as part of news gathering and not for commercial use.

Thank you for your consideration of this appeal.

Sincerely,

Name
Address
City, State, Zip Code
Telephone Number [Optional]

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Freedom of Information Act Letter Requesting a Fee Waiver

[Note to user: Many organizations provide useful templates of FOIA request letters, including [The Reporters Committee for Freedom of the Press](#) and [Student Press Law Center](#). Some federal agencies provide templates as well that can be downloaded from the Internet. My letter borrows language from some of these templates, and I will note where I do so. The intention here is to give you detailed fee-waiver language, whereas other templates give cursory treatment to the topic.]

(Date)

Agency Head [or Freedom of Information Act Officer]
Name of Agency
Address of Agency
City, State, Zip Code

Re: Freedom of Information Act Request

Dear _____:

Under the Freedom of Information Act (5 U.S.C. Section 552), I am requesting the following documents:

[ICIJ recommendations] Reasonably describe the records and/or information you need. It helps to include names of people and places and the time period relevant to the material. If you know the name or title of the document you seek, include that. Attach any other documents describing your research and specify the form in which you would like to receive the information, such as paper or computer disk.

As a representative of the news media affiliated with (name of your organization), I am gathering information on (subject) that is of current interest to the public because (briefly state reasons).

[For requesters who are not members of a traditional news organization like a newspaper or television station, consider the following language]: Please take note of the Office of Management and Budget guidelines published March 27, 1987 (52 FR 10012) that include electronic publications and other nontraditional publishers as representatives of the news media. [Freelancers should provide a copy of the publication contract, if you have one, but also note that OMB guidelines say that past publication can be used as proof you are a media representative]. [Public interest groups should consider the following language]: Please also remember that the U.S. Court of Appeals for the District of Columbia has determined that even a nonprofit clearinghouse of information can qualify as a representative of the news media, See *National Security Archive v. U.S. Department of Defense*, 279 U.S. App. D.C. 308 (D.C. 1989).

Please note that 5 U.S.C. Section 552(a)(4)(A)(iv)(II) requires that you provide the first 100 copies to me at no charge.

However, I am requesting a waiver of all fees under 5 U.S.C. Section 552(a)(4)(A)(iii). The information I seek is in the public interest because it will contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

I believe I meet the criteria for a fee waiver recognized by the U.S. Justice Department – in its policy guidance of April 1987 – and by the federal courts, See *Project on Military Procurement v. Department of the Navy*, 710 F. Supp. 362 363, 365 (D.C.D. 1989).

My request concerns the operations or activities of government because É [Per the Justice Department guidelines, be as specific as possible about why your request concerns a government activity as opposed to a mere interest on your part in the subject matter.]

Also, the information sought has informative value, or potential for contribution to public understanding. Please note the decision in *Elizabeth Eudey v. Central Intelligence Agency*, 478 F. Supp. 1175 1176 (D.C.D. 1979) (even a single document has the potential for contributing to public understanding). I plan to disseminate this information to the public at large in the following manner: [Detail how you plan to get this information to a broad audience. Public interest requesters should be aware that vague assertions about providing the information to a media outlet probably would not pass muster with the agency or the courts. It will help your cause immensely to provide evidence of past instances where the media has used some of your information]. In addition, the release of this information will have a significant impact on public understanding because É [Detail here where you think there is a lack of knowledge on the part of the public and how this information will make the public better informed about this particular government activity.]

In your deliberations, please take note of the following cases: *Campbell v. U.S. Department of Justice*, 334 U.S. App. D.C. (1998)(administrative and seemingly repetitious information is not exempt from fee-waiver consideration); *Project on Military Procurement* (agencies cannot reject a fee waiver based on the assumption that the information sought is covered by a FOIA exemption; and *Landmark Legal Foundation v. Internal Revenue Service*, 1998 U.S. Dist. LEXIS 21722 (D.C.D. 1998)(the fact that the information will soon be turned over to a public body does not exempt the material from fee-waiver consideration).

I look forward to your response within the 20 working days, as outlined by the statute.

Thank you in advance,

Your name
Your address
Daytime phone number
Fax number
E-mail address

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Privacy Act Request for Access Letter

Privacy Act Officer [or System of Records Manager]
Name of Agency
Address of Agency
City, State, Zip Code

Re: Privacy Act Request for Access

Dear _____:

This is a request under the Privacy Act of 1974.

I request a copy of any records [or specifically named records] about me maintained at your agency.

[Optional] To help you to locate my records, I have had the following contacts with your agency: [mention job applications, periods of employment, loans or agency programs applied for, etc.].

[Optional] Please consider that this request is also made under the Freedom of Information Act. Please provide any additional information that may be available under the FOIA.

[Optional] I am willing to pay fees for this request up to a maximum of \$_____. If you estimate that the fees will exceed this limit, please inform me first.

[Optional] Enclosed is [a notarized signature or other identifying document] that will verify my identity.

Thank you for your consideration of this request.

Sincerely,

Name
Address
City, State, Zip Code
Telephone number [Optional]

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Privacy Act Denial of Access Appeal

Agency Head or Appeal Officer
Name of Agency
Address of Agency
City, State, Zip Code

Re: Appeal of Denial of Privacy Act Access Request

Dear _____:

This is an appeal under the Privacy Act of the denial of my request for access to records.

On (date), I requested access to records under the Privacy Act of 1974. My request was assigned the following identification number: _____. On (date), I received a response to my request in a letter signed by (name of official). I appeal the denial of my request.

[Optional] The records that were withheld should be disclosed to me because

[Optional] Please consider that this appeal is also made under the Freedom of Information Act. Please provide any additional information that may be available under the FOIA.

Thank you for your consideration of this appeal.

Sincerely,

Name
Address
City, State, Zip Code
Telephone Number [Optional]

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Privacy Act Request to Amend Records

Privacy Act Officer [or System of Records Manager]
Name of Agency
Address of Agency
City, State, Zip Code

Re: Privacy Act Request to Amend Records

Dear _____:

This is a request under the Privacy Act to amend records about myself maintained by your agency.

I believe that the following information is not correct: [Describe the incorrect information as specifically as possible].

The information is not (accurate) (relevant) (timely) (complete) because

[Optional] Enclosed are copies of documents that show that the information is incorrect.

I request that the information be [deleted] [changed to read:].

Thank you for your consideration of this request.

Sincerely,

Name
Address
City, State, Zip Code
Telephone Number [Optional]

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Privacy Act Appeal of Refusal to Amend Records

Agency Head or Appeal Officer
Name of Agency
Address of Agency
City, State, Zip Code

Re: Privacy Act Appeal of Refusal to Amend Records

Dear :

This is an appeal under the Privacy Act of the refusal of your agency to amend records as I requested.

On (date), I requested that records about me be amended. My request was assigned the following identification number _____. On (date), I was informed by (name of official) that my request was rejected. I appeal the rejection of my request.

The rejection of my request for amendment was wrong because

[Optional] I enclose additional evidence that shows that the records are incorrect and that the amendment I requested is appropriate.

Thank you for your consideration of this appeal.

Sincerely,

Name
Address
City, State, Zip Code
Telephone Number [Optional]

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NFOIC

NFOIC works nationally and with its state organization members to promote laws, policies and practices that ensure expeditious access to state and local public records, proceedings and officials.

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