



Federal Communications Commission  
Washington, D.C. 20554

August 6, 2024

**VIA ELECTRONIC MAIL**

Anthony Roland  
[REDACTED]

Re: FOIA No. 2024-000503 (request); 2024-000636-A (appeal)

Dear Mr. Roland:

This is in response to your application for review (AFR)<sup>1</sup> filed in connection with the above-referenced Freedom of Information Act (FOIA) request,<sup>2</sup> which sought:

1. Any and All Records Order by Judge or Congress pertaining to the Interception of Roland Electronic Telecommunications. 2. Any and All Records Order related to the Interception of Cell Tower of Anthony Roland. 3. Any and All Records pertaining to Anthony Roland. 4. All records reflecting Anthony Roland's communications (including emails and Broadband Network). 5. All records and Orders granted or denied pertaining to Anthony Roland's Interception of his communication. 6. All and Any Records that the IT (Information Technology) department has of Electronically Stored Information about Anthony Roland. Date Range of the Request: Any time from January 01, 2018 – Present Time.<sup>3</sup>

On June 26, 2024, the Federal Communications Commission's (Commission) Enforcement Bureau, Investigations and Hearings Division (Bureau) responded that it "searched for responsive records" but the "search produced no records responsive to your request."<sup>4</sup>

Your AFR raises no specific arguments that warrant the Commission's review of the Bureau's response to your request as it merely paraphrases three parts of your FOIA request and references three Commission systems of records: FCC/OIG-3 Investigation and Audit Files, FCC/OMD-17 FOIA/Privacy Act Requests, and FCC/OEA-6 Broadband Data Collection.<sup>5</sup> Your AFR also references, perhaps erroneously, a Privacy Act request from 2022 without any

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<sup>1</sup> Letter from Anthony Roland to Federal Communications Commission (received July 8, 2024) (AFR).

<sup>2</sup> FOIA Control No. 2024-000503 (submitted May 8, 2024) (FOIA Request). The Commission is addressing the Privacy Act aspect of your AFR separately. This letter relates solely to the Freedom of Information Act.

<sup>3</sup> *Id.*

<sup>4</sup> Letter from Kalun Lee, Deputy Division Chief, Investigations and Hearings Division, FCC Enforcement Bureau, to Anthony Roland (June 26, 2024).

<sup>5</sup> AFR at 1. Information about these systems of records can be found on the Privacy Act Information page on the Commission's website, <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#systems>.

explanation of its relevance to the appeal.<sup>6</sup> Your AFR does not attempt to demonstrate why the Bureau's response to you was in error, nor does it present any legal arguments for the Commission's consideration. Accordingly, we dismiss your AFR under section 0.251(j) of the Commission's rules for failure to articulate specific grounds for review.<sup>7</sup>

Under section 1.115 of the Commission's rules, you have the right to seek Commission review of the Office of General Counsel's dismissal of your AFR under delegated authority.<sup>8</sup> AFRs filed with the Commission must concisely and plainly state the question presented.<sup>9</sup> In addition, your AFR must specify, with particularity, the factors that warrant the Commission's consideration of the Office of General Counsel's action, the respects in which that action should be changed, and the form of relief being sought.<sup>10</sup> Your AFR should not simply reiterate arguments about the merits of your underlying FOIA request.<sup>11</sup>

Should you elect to pursue Commission review, consistent with the standards set forth above, you must submit a new AFR which must be *received* within 30 calendar days of the date that appears on this letter.<sup>12</sup> You may file this AFR by mailing it to Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554, or it may be submitted electronically by e-mailing it to [FOIA-Appeal@fcc.gov](mailto:FOIA-Appeal@fcc.gov). Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action AFR Dismissal." Your AFR will be addressed consistent with sections 1.115(g) and (h) of the Commission's rules.

If you would like to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison  
Federal Communications Commission, Office of the Managing Director,  
Performance Evaluation and Records Management  
45 L Street NE  
Washington, DC 20554  
(202) 418-0440  
[FOIA-Public-Liaison@fcc.gov](mailto:FOIA-Public-Liaison@fcc.gov)

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Federal FOIA Ombudsman's office within the Office of Government Information Services

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<sup>6</sup> AFR at 1 (stating that "[t]his request was assigned FCC Control No. 2022-000743").

<sup>7</sup> See 47 CFR § 0.251(j) (as the Commission's Chief FOIA Officer, "the General Counsel is delegated authority to dismiss FOIA applications for review that are untimely, repetitious, or fail to articulate specific grounds for review").

<sup>8</sup> 47 CFR § 1.115.

<sup>9</sup> See 47 CFR § 1.115(b).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> See 47 CFR §§ 1.115(d), 1.4(b)(5). See also 47 CFR § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

(OGIS) offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, MD 20740-6001  
(202) 741-5770; (877) 684-6448  
[ogis@nara.gov](mailto:ogis@nara.gov)  
<https://www.archives.gov/ogis>

Sincerely,

/s/

Jeffrey S. Steinberg  
Assistant General Counsel  
Office of General Counsel

cc:  
FOIA Officer