



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

**JUL 20 2010**

Mr. Monty Warner  
President, Gotham Legal Foundation  
244 Madison Avenue, No. 384  
New York, NY 10016

Re: OIP/10-R01018  
CLM:SBT:GSA

Dear Mr. Warner:

This responds to your letter dated June 17, 2010, and received in this Office on June 23, 2010, in which you requested Medicare and Medicaid information pertaining to New York state doctors. This response is made on behalf of the Office of Information Policy.

Please be advised that the Office of Information Policy of the United States Department of Justice processes Freedom of Information Act (FOIA) and Privacy Act (PA) requests for records it maintains as well as records maintained by the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Public Affairs, Legislative Affairs, Legal Policy, and Intergovernmental and Public Liaison, and adjudicates administrative appeals of denials of FOIA/PA requests made to the Department. This Office maintains the case files for the initial requests and administrative appeals it processes.

For your information, the FOIA provides a right of access to federal agency records that exist and can be located in agency files. The FOIA does not require agencies to conduct research, answer questions, or create new documents in response to FOIA requests.

Because you are seeking records pertaining to Medicare and Medicaid, please be advised that the Department of Health and Human Services (HHS) would be the federal agency most likely to maintain these records. You can write to HHS at the following address:

Robert Eckert  
Director, FOIA/Privacy Division  
Department of Health and Human Services  
Room 5416, Mary E. Switzer Building  
330 C Street, SW  
Washington, DC 20201

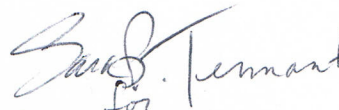
To the extent that you are seeking records from the Department of Justice about Medicare and Medicaid, please be advised that the Department has a decentralized system for processing FOIA requests and each component of the Department maintains its own records. Accordingly, you need to direct your letter to the Department component(s) you believe have records pertaining to the subject of your request. To be of assistance, I have enclosed a copy of the

*Department of Justice Freedom of Information Act Reference Guide (Reference Guide)* which provides guidance for making FOIA/PA requests to the Department of Justice. The *Reference Guide* also contains a listing of the Department of Justice components, with a brief description of their functions and the records they maintain, as well as the addresses of their FOIA offices.

Finally, please be advised that your request has also been routed to the Executive Office for United States Attorneys (EOUSA) for processing and direct response to you. The contact information for EOUSA can be found in the *Reference Guide*.

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. Your appeal must be received within sixty days from the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in cursive script, appearing to read "Carmen L. Mallon".

Carmen L. Mallon  
Chief of Staff

Enclosure