



Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Washington, D.C. 20554



February 17, 2017

Amir Nasr  
Morning Consult  
729 15th St. NW  
Washington, DC 20005

amir@morningconsult.com

FOIA No. 2017-303

Dear Mr. Nasr:

This letter responds to your recent Freedom of Information Act (FOIA) requests received by the Federal Communications Commission (FCC or Commission) and assigned to the Consumer & Governmental Affairs (CGB) and Enforcement Bureaus (EB). Your request seeks all complaints regarding Madonna's speech at the Women's March on January 21<sup>st</sup>. Your request has been assigned FOIA Control No. 2017-303.

CGB conducted a search of the databases in which we maintain the records of informal complaints filed by, or on behalf of, consumers. Our search identified approximately one hundred six (106) responsive documents. Enforcement reports that it did not identify any responsive records.

Records responsive to your request were withheld or redacted under FOIA Exemption 6. Exemption 6 protects files containing personally identifiable information disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Balancing the public's right to disclosure against the individual's right to privacy, we have determined that release of this information would constitute a clearly unwarranted invasion of personal privacy. Therefore, all FCC employee names, complainants' names, addresses, and telephone numbers were redacted under Exemption 6.1 The FCC receives many complaints and comments that do not involve violations of the Communications Act or any FCC rule or order. Thus, a complaint or comment does not necessarily indicate any wrongdoing by any individuals or entities named in the complaint or comment.

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<sup>1</sup> 5 U.S.C. § 552 (b)(6); see also 47 CFR § 0.457(f).

FOIA and FCC rules require the FCC to charge requesters for time spent searching for and reviewing responsive documents, and for copying them. Pursuant to section 0.466(a)(5)-(7) of the Commission's rules, you have been classified for fee purposes as category (2), "educational requesters, non-commercial scientific organizations, or representatives of the news media."<sup>2</sup> As an "educational requester, non-commercial scientific organization, or representative of the news media," the FCC assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request did not involve more than 100 pages of duplication. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be received by the Commission within 90 calendar days of the date of this letter.<sup>3</sup> You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to 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" and the application should refer to FOIA No. 2017-303.

If you would like to discuss this response before filing an application for review to attempt 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  
445 12th St SW, Washington, DC 20554  
202-418-0440  
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's Office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

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<sup>2</sup> 47 CFR § 0.466(a)(5)-(7).

<sup>3</sup> 47 CFR §§ 0.461(j), 1.115; 47 CFR § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

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  
ogis.archives.gov

Sincerely,



Nancy Stevenson  
Deputy Chief  
Consumer Policy Division  
Consumer & Governmental Affairs Bureau

Attachments