



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center

Division of FOIA Services  
7700 Wisconsin Avenue, Suite 920  
Bethesda, Maryland 20857  
PH: 301-492-4800  
Fax: 301-492-4848

Case No. 11-0107

June 22, 2011

Paul Bracher  
California Institute of Technology  
1200 E. California Blvd  
Pasadena CA 91125

Dear Mr. Bracher:

This is in response to your December 2, 2010, Freedom of Information Act (FOIA) request for documents pertinent to the investigation of Dalibor Sames and Bengu Sezen of Columbia University alleged scientific misconduct by the Office of Research Integrity (ORI).

ORI performed a search and located 167 pages of records responsive to your request, which are copied on the enclosed CD. I have determined to withhold portions of approximately 115 of the released pages under FOIA exemptions (b)(6) and (b)(7)(c).

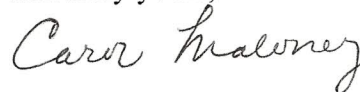
If ORI determines that an individual has conducted scientific misconduct, the information is published in the Federal Register and posted on ORI's website at <http://ori.dhhs.gov/misconduct/cases/>.

ORI has the case of Bengu Sezen posted on their website, but not Dalibor Sames, so I can neither confirm nor deny the existence of records that would be responsive to that portion your request. If they exist, records of this nature would be exempt from disclosure under FOIA exemptions (b)(6) and/or (b)(7)(C).

Exemption (b) (6) permits the withholding of information that if released would constitute a clearly unwarranted invasion of personal privacy. Exemption (b) (7) (C) permits the withholding of investigatory records compiled for law enforcement purposes when disclosure could constitute a clearly unwarranted invasion of personal property. The withheld information consists of the names of the witnesses, person email addresses, personal addresses and allegations or information in which ORI did not make a finding of research misconduct. There are no fees for FOIA services, in this instance, as the billable charges are less than our threshold for billing purposes.

If you have reason to believe that the information withheld should not be exempt from disclosure, you may appeal. Your appeal should be sent within 30 days from the date you receive this letter to the Director, News Division, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services. Should you choose to send your appeal through the U.S. Postal Service, please mail it to **7700 Wisconsin Avenue, Suite 920, Bethesda, MD 20857**. Should you choose to send your appeal through a private courier service, please send it to 7700 Wisconsin Avenue, Suite 920, Bethesda, MD **20814**. Clearly mark both the envelope and your letter "Freedom of Information Act Appeal."

Sincerely yours,

A handwritten signature in cursive script that reads "Carol Maloney".

Carol Maloney  
Director  
Division of FOIA Services