

**United States Department of Energy
Office of Hearings and Appeals**

In the Matter of Ryan Clark)

Filing Date: October 8, 2025)

Case No.: FIA-26-0002

Issued: October 21, 2025

Decision and Order

Ryan Clark (Appellant) appealed a determination letter dated October 7, 2025, issued to him by the Department of Energy's (DOE) Idaho Operations Office (ID) concerning a request (Request No. ID-2025-03750-F) that he filed under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as implemented by the DOE in 10 C.F.R. Part 1004. In its determination letter, ID stated that it identified six email records responsive to the request. The Appellant challenged the adequacy of the search. In this Decision, we grant the appeal.

I. Background

On July 11, 2025, the Appellant submitted a FOIA request asking for:

access to and copies of any records maintained by the Department of Energy (DOE), Idaho National Laboratory (INL), or Battelle Energy Alliance [BEA] that reference or relate to me, Ryan Alan Clark, born [Appellant's birthdate]. Specifically, I request:

1. Any communications, incident reports, emails, internal memoranda, or investigation summaries from INL or Battelle Energy Alliance submitted to the DOE Security Office or other relevant departments that reference: - My name (Ryan Clark), - My former marital relationship to April Clark, an INL employee, - Any incident, risk, or security review involving email misuse, harassment claims, or family law litigation, - Any communication or complaint in which I am named or accused directly or indirectly.
2. Any records, referrals, or adjudication summaries where my name appears in the context of: - Security clearance considerations, - Employee misconduct allegations, - Litigation-related referrals to DOE or INL security staff, - Third-party contact regarding employee behavior impacting national security standards.

FOIA Request at 1. ID issued a determination letter on September 2, 2025, denying the Appellant's request. Determination Letter from ID to Ryan Clark at 2 (Sept. 2, 2025). Appellant timely appealed that determination. Appeal Letter Email from Ryan Clark to DOE's Office of Hearings

and Appeals (OHA) (Sept. 2, 2025). ID withdrew the determination that was the basis of that appeal on September 12, 2025, and the appeal was accordingly dismissed as moot. Dismissal Letter from OHA to Ryan Clark (Sept. 12, 2025).

ID issued a new determination letter to the Appellant on October 7, 2025, stating that it had identified six email records responsive to the request and attaching those records. Determination Letter from ID to Ryan Clark at 1 (Oct. 7, 2025).

The Appellant timely appealed the determination letter to OHA on October 8, 2025. Appeal Letter Email from Ryan Clark to OHA at 1 (Oct. 7, 2025)¹ (Appeal). In his appeal, the Appellant challenges the adequacy of the search. *Id.* The Appellant argues that the search must not be adequate because it did not find an email that he knows was sent to an INL email address.² *Id.*

II. Analysis

A FOIA request requires an agency to “conduct a search reasonably calculated to uncover all relevant documents.” *Truitt v. Dep’t of State*, 897 F.2d 540, 542 (D.C. Cir. 1990). The applicable standard of reasonableness “does not require absolute exhaustion of the files; instead, it requires a search reasonably calculated to uncover the sought materials.” *Miller v. Dep’t of State*, 779 F.2d 1378, 1384–85 (8th Cir. 1985); *accord Truitt*, 897 F.2d at 542. “The adequacy of a FOIA search is generally determined not by the fruits of the search, but by the appropriateness of the methods used to carry out the search.” *Jennings v. Dep’t of Justice*, 230 F. App’x 1, 1 (D.C. Cir. 2007) (internal quotation marks omitted). OHA has not hesitated to remand a case where it is evident that the search conducted was in fact inadequate, and whether the search conducted was reasonable depends on the facts of each case. *See, e.g., Ayyakkannu Manivannan*, OHA Case No. FIA-17-0035 (2017); *Coffey v. Bureau of Land Mgmt.*, 249 F. Supp. 3d 488, 497 (D.D.C. 2017) (citing *Weisberg v. Dep’t of Justice*, 745 F.2d 1476, 1485 (D.C. Cir. 1984)).

Here, the ID Security Office conducted a search of several databases that it maintains using Appellant’s name, social security number, and contact information as keywords. Phone Memorandum of Conversation between ID Security Office and OHA (Oct. 14, 2025). There were no responsive documents found as a result of these searches. *Id.* The Security Office specifically stated that it did not search the personnel file related to Appellant’s ex-wife because it would be prohibited from releasing any responsive records in that file to the Appellant. *Id.* A search that does not include the personnel file of the Appellant’s ex-wife, a place that very likely contains documents responsive to his request, cannot be considered reasonable. While such a search might only turn up records that are exempt from disclosure pursuant to one of the nine FOIA Exemptions, without first conducting the search and locating any responsive documents, we cannot be certain that that would be the case.

¹ Appellant sent his appeal to OHA at 8:26 PM eastern time on October 7, 2025. Appeal at 1. OHA considers submissions made after 5:00 PM eastern time to have been made on the next business day. 10 C.F.R. § 1004.8(c).

² In his appeal, the Appellant also expresses concern about the lack of “metadata or custodial context.” Appeal at 1. When asked to expand on his concern, Appellant explained that he was not particularly concerned about the metadata but rather the “discrepancy between what BEA provided to [his ex-wife] and what DOE-ID has produced to me under FOIA.” Email from Ryan Clark to OHA (Oct. 15, 2025). Therefore, this Decision will not address the elements of the appeal related to “metadata or custodial context.”

ID also ran a search of all emails within the DOE ID domain. Search Certificate from ID (Oct. 14, 2025). The program manager who ran the search conducted separate email searches using the Appellant's name and his email address. Phone Memorandum of Conversation between ID Information Technology (IT) and OHA (Oct. 15, 2025). The IT program manager found six responsive documents as a result of this search; the six documents that were then released to the Appellant with the October 7, 2025, determination letter. *Id.* This portion of the search was reasonably calculated to uncover responsive records based on Appellant's FOIA request.

Based on the foregoing analysis, we remand to ID to conduct a new search that includes the personnel file of Appellant's ex-wife and issue a new determination letter.

III. Order

It is hereby ordered that the appeal filed by Ryan Clark on October 8, 2025, Case No. FIA-26-0002, is granted. This matter is remanded to ID to conduct a new search consistent with this Decision.

This is a final order of the Department of Energy from which any aggrieved party may seek judicial review pursuant to the provisions of 5 U.S.C. § 552(a)(4)(B). Judicial review may be sought in the district in which the requester resides or has a principal place of business, or in which the agency records are situated, or in the District of Columbia.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect the right to pursue litigation. OGIS may be contacted in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
Web: ogis.archives.gov Email: ogis@nara.gov
Telephone: 202-741-5770 Fax: 202-741-5769
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